

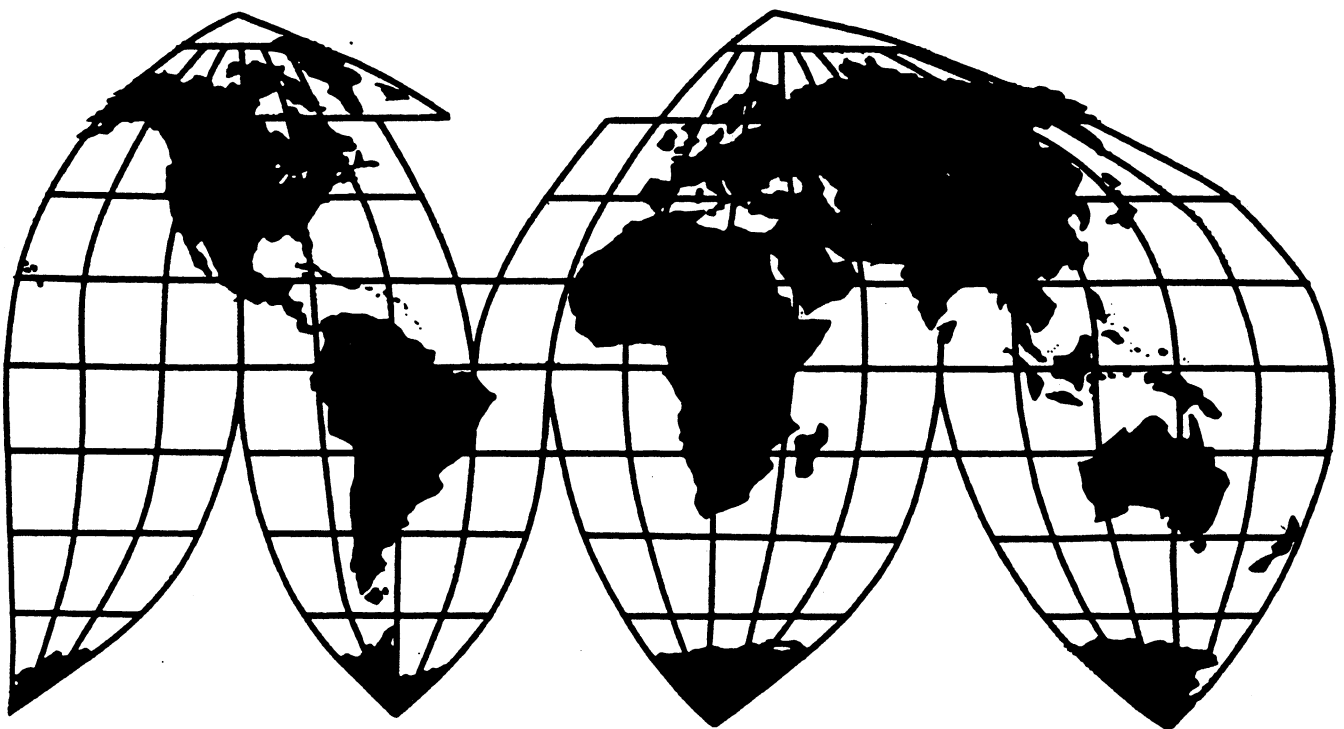
Proposed Modifications to the Harmonized Tariff Schedule of the United States

Investigation No. 1205-3

Publication 2673

August 1993

U.S. International Trade Commission



U.S. International Trade Commission

COMMISSIONERS

Don E. Newquist, Chairman
Peter S. Watson, Vice Chairman
David B. Rohr
Anne E. Brunsdale
Carol T. Crawford
Janet A. Nuzum

Robert A. Rogowsky
Director of Operations

Staff assigned:

Office of Tariff Affairs and Trade Agreements:
Eugene A. Rosengarden, Director
David B. Beck, Supervisory Nomenclature Analyst

With technical review by:
Larry B. Clayton
Lawrence A. DiRicco
Thomas W. Divers
Ronald H. Heller
Craig M. Houser

Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

U.S. International Trade Commission

Washington, DC 20436

Proposed Modifications to the Harmonized Tariff Schedule of the United States



Publication 2673

August 1993

PREFACE

On May 11, 1993, the U.S. International Trade Commission (the Commission) instituted investigation No. 1205-3, Proposed Modifications to the Harmonized Tariff Schedule of the United States, Pursuant to Section 1205 of the Omnibus Trade and Competitiveness Act of 1988. Section 1205 requires the Commission to keep the Harmonized Tariff Schedule of the United States (HTS) under continuous review and to recommend to the President modifications to the HTS in order to reflect amendments to the Harmonized System convention recommended by the Customs Cooperation Council (CCC) for adoption, and as other circumstances warrant. The modifications proposed in this report would implement in U.S. law amendments to the Harmonized System nomenclature that were recommended for adoption by the CCC in July 1993, and certain other decisions, taken by the CCC's Harmonized System Committee, that are necessary and appropriate to ensure uniform application of the nomenclature.

In accordance to section 1205, the Commission solicited, and gave consideration to, the views of interested Federal agencies and the public before proposing recommendations to the HTS. Further, the Commission's report to the President presents its recommendations, summarizes the information on which its recommendations are based, and provides a statement of the probable economic effects of recommended changes on any industry in the United States. A copy of all written comments received from Federal agencies and a copy or Commission-prepared summary of the views of other interested parties are also be included.

Notice of this investigation was published in the Federal Register of May 20, 1993, and made reference to a draft of proposed modifications, which was made available for the purpose of soliciting public comment. A public hearing on this investigation was held on June 15, 1993. The information contained in this report was obtained from (a) research by the Commission's staff, (b) the Commission's files, (c) consultations with various Government agencies, (d) the written submissions and oral statements of interested parties, and (e) other sources.

CONTENTS

	<u>Page</u>
Preface.....	i
Recommendations.....	1
Background.....	1
The Harmonized System Convention.....	1
Executive Authority.....	2
Proposed Modifications.....	2
Modifications to conform the HTS to HSC decisions not affecting the international HS nomenclature.....	3
Certain cough drops.....	3
Certain cresols.....	3
Certain jewelry boxes.....	3
Certain support hosiery.....	5
Modifications to conform the HTS with amendments to the international HS nomenclature.....	5
Probable economic effects of proposed modifications.....	6
 Appendixes	
A. <u>Federal Register</u> notice of Commission's institution of investigation No. 1205-2.....	A-1
B. Commission's proposed modifications to the HTS.....	B-1
C. Sections 1205 and 1206 of the Omnibus Trade and Competitiveness Act of 1988.....	C-1
D. Congressional letters concerning point-of-purchase jewelry presentation boxes.....	D-1
E. Written submission from the U.S. Customs Service.....	E-1
F. Summaries of written views of nongovernment interested parties...	F-1
G. Summary of hearing testimony.....	G-1

Recommendations

On May 11, 1993, the U.S. International Trade Commission (Commission) instituted investigation No. 1205-3, Proposed Modifications to the Harmonized Tariff Schedule of the United States, Pursuant to Section 1205 of the Omnibus Trade and Competitiveness Act of 1988. The Commission's notice of institution of this investigation is reproduced in appendix A.

Consequent to its investigation, the Commission recommends that the President proclaim the modifications to the Harmonized Tariff Schedule of the United States (HTS) set forth in appendix B of this report. The Commission considers these modifications necessary or appropriate to conform the HTS with amendments to the Harmonized System Convention recommended by the Customs Cooperation Council, and to promote the uniform application of the Harmonized System nomenclature. The modifications are being recommended pursuant to section 1205 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 3005).

Background

The Harmonized System Convention

Subtitle B of title 1 of the Omnibus Trade and Competitiveness Act of 1988 approved the United States' accession to the International Convention on the Harmonized Commodity Description and Coding System, which was completed in Brussels on June 14, 1983, under the auspices of the Customs Cooperation Council (CCC).¹ The Convention establishes a standardized tariff nomenclature, the purpose of which is to facilitate international trade through the use of a single nomenclature for the description, classification, and coding of goods, and to facilitate the collection, comparison, and analysis of international trade

¹ The convention is commonly referred to as the Harmonized System Convention, or HS Convention. The annex to the HS Convention is commonly known as the HS nomenclature, or simply the HS.

statistics. Article 3 of the convention obligates each contracting party to apply the HS nomenclature as the basis for its customs tariff nomenclature and for publication of foreign trade data.²

The HS Convention also established a Harmonized System Committee (HSC), which is composed of contracting parties and has the function of preparing recommendations for achieving uniformity in the interpretation of the HS nomenclature and for keeping its product categories abreast of technological developments and changes in international trading patterns. Recommendations take the form of proposed amendments to the convention, (particularly the HS nomenclature annexed thereto) or to one or more of the complementary publications of the CCC. The most important of these publications are the Explanatory Notes and the Compendium of Classification Opinions. The contracting parties to the convention rely on these publications to provide guidance to the interpretation of the HS nomenclature. However, though these publications are authoritative sources of information, they are not legally binding on contracting parties to the HS Convention and should not to be treated as dispositive in ascertaining the classification of merchandise under the HS.³

Recommended amendments to the HS nomenclature generally arise from two sources: (1) the HSC's consideration of classification disputes or questions raised by contracting parties to the convention and (2) recommendations of the Review Subcommittee (RSC), which was established in 1990 by the HSC to review the HS nomenclature and to consider amendments to keep it up to date. Most of the amendments contained in the CCC's article 16 recommendation under consideration in this investigation reflect RSC proposals that resulted from its initial 3-year review cycle.

Amendments to the HS recommended by the CCC for adoption are deemed to be accepted, under article 16 of the HS Convention, 6 months after the date of notification of the recommendation, unless a contracting party to the convention notifies the CCC of its objection thereto. By agreement of the

² The act implemented the the Harmonized Tariff Schedule of the United States (HTS) in conformity with the requirements of the convention.

³ Conference report on the Omnibus Trade and Competitiveness Act of 1988, p. 549.

contracting parties, amendments to the Explanatory Notes or to the Compendium of Classification Opinions are deemed accepted if no objection is notified within 3 months of approval by the HSC.

Executive Authority

Sections 1205 and 1206 of the Omnibus Trade and Competitiveness Act of 1988 (reproduced in appendix C) establish an administrative mechanism by which the President may proclaim certain modifications to the HTS, including those necessary to conform its provisions to proposed amendments to the HS nomenclature. Section 1205 directs the Commission to keep the HTS under continuous review and to recommend such modifications to the President when amendments to the HS nomenclature are adopted by the CCC and as other circumstances warrant.

Section 1205(a) of the act provides that the Commission—

... shall recommend to the President such modifications in the Harmonized Tariff Schedule as [it] considers necessary or appropriate—

- (1) to conform the [HTS] with amendments made to the Convention;⁴
- (2) to promote the uniform application of the Convention and particularly the Annex thereto;
- (3) to ensure that the HTS is kept up-to-date in light of changes in technology or changes in patterns of international trade;
- (4) to alleviate unnecessary administrative burdens; and
- (5) to make technical rectifications.⁵

⁴ Article 2 of the HS Convention provides that the HS nomenclature annexed thereto forms a part of the convention and any reference to the convention includes a reference to the annex.

⁵ "Technical rectifications" are limited by section 1202(6) of the Act to clerical or typographical errors that do not affect the substance or meaning of the text, to such as errors in spelling, numbering, punctuation, or indentation, to minor technical errors (including inadvertent omissions) in cross-references to headings, subheadings, or notes, and to similar errors.

Section 1205(d) provides that the Commission may not recommend a modification to the HTS, unless such modification (1) is "consistent with the Harmonized System Convention or any amendment thereto recommended for adoption;" (2) is "consistent with sound nomenclature principles;" and (3) "ensure[s] substantial rate neutrality." Modifications that involve a change in any rate of duty must be consequent to, or necessitated by, recommended nomenclature changes. Finally, recommended modifications "must not alter existing conditions of competition for the affected U.S. industry, labor, or trade."

Pursuant to section 1206, the President may proclaim modifications to the HTS, on the basis of recommendations by the Commission under section 1205, if he determines that the modifications are in conformity with U.S. obligations under the HS Convention and do not run counter to the national economic interest of the United States. The President may proclaim such modifications only after the expiration of a 60-day⁶ period beginning on the date the President submits a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that sets forth the proposed modifications and the reasons therefor. Modifications proclaimed by the President may not become effective before the 15th day after the text of the proclamation is published in the *Federal Register*.

Proposed Modifications

A draft of the Commission's proposed modifications, covering substantive changes to three-fourths of the chapters of the HTS, was made available to the public in a document dated May 14, 1993, which was announced through the notice of institution of this investigation. The proposed modifications presented in appendix B to this report reflect revisions made as the result of written comments and oral hearing testimony solicited in connection with the May 14, 1993, document. Copies of written views submitted by Congressional representatives are included in appendix D;⁷ the written submission from Customs is reproduced in

⁶ The length of the "60-day" period is longer than 60 calendar days, because the period excludes Saturdays and Sundays (unless both the House and Senate are in session) and any other day on which either the House or the Senate is not in session.

⁷ All the Congressional comments received were in connection with the Commission's proposal on certain point-of-purchase jewelry presentation boxes. This proposal is discussed in detail below.

appendix E; summaries of the written views of nongovernment interested parties are included in appendix F; and a summary of the hearing testimony is included in appendix G.

The recommendations in appendix B reflect principally decisions taken by the HSC during its 4th through 11th sessions (i.e., from October 1989 to June 1993) and are divided into two groups, discussed below.

Modifications to Conform U.S. Customs Practice to HSC Decisions not Affecting the International HS Nomenclature

Certain cough drops

According to Customs,⁸ that agency has consistently classified medicated cough drops—those containing a minimum of 5 mg of menthol, eucalyptol, or other antitussive “flavoring” agent as the sole active ingredient—as medicaments in HTS subheading 3004.90.30, with a most-favored-nation (MFN) duty rate⁹ of 3.9 percent ad valorem. However, the HSC decided that such products are classifiable as confectionery in subheading 1704.90. Customs expressed its desire to conform to the HSC decision, as proposed by the Commission, but it was necessary to propose a new additional U.S. legal note (a) to exclude these products from chapter 30 and (b) to distinguish them from so-called cough drops already classified by Customs in subheading 1704.90 because they lack the required minimum amount of active-ingredient flavoring agent per dose to be considered medicaments. The Commission, therefore, added a proposal for a new additional U.S. note 7 to limit the coverage of proposed new subheading 1704.90.25.

⁸ See Customs’s written submission, appendix E.

⁹ At the time of this writing, MFN duty rates are applicable to nonembargoed imports from all foreign countries except from Afghanistan, Cuba, Kampuchea, Laos, North Korea, Romania, Vietnam, and the former Soviet republics of Tajikistan, Azerbaijan, Uzbekistan, Georgia, and Turkmenistan. MFN rates apply unless eligibility is established for special duty treatment under the preferential duty programs described in general note 3(c) to the HTS.

Certain cresols¹⁰

In the HTS, certain polyphenols—metacresol, orthocresol, paracresol and metaparacresol, all the foregoing having a purity of 75 percent or more by weight—are specified in a single rate line under subheading 2707.99 rather than under subheading 2707.60, which covers phenols (including polyphenols). The Commission proposes to transfer the rate line provision to subheading 2707.60 to achieve uniformity of classification of these products under the HS. There is no consequent change in duty rate.

Certain jewelry boxes

At its 4th Session, October 1989, the HSC adopted a modification of the Explanatory Notes to heading 4202 in order to clarify that point-of-purchase jewelry presentation boxes were included in HS heading 4202. The revised Explanatory Note reads as follows:

The term “jewellery boxes” covers not only boxes specially designed for keeping jewellery, but also similar lidded containers of various dimensions (with or without hinges or fasteners) specially shaped or fitted to contain one or more pieces of jewellery and normally lined with textile material, of the type in which articles of jewellery are often presented and sold and which are suitable for long-term use.¹¹

The HSC’s inclusion of point-of-purchase jewelry presentation boxes in heading 4202 was counter to prior headquarters advice by Customs. In ruling HQ 081456, dated August 17, 1988, Customs stated that a small, cylindrical earring box of plastics, covered with woven cotton cloth, was not a jewelry box and, therefore, the box must be classified by its essential character, i.e., as an article of plastics or of textile material. In that case, the plastics was deemed to impart the essential character and the box was classified in HTS subheading 3923.90 as an article of plastics for the conveyance or packing of goods. Because this ruling was issued before implementation of the HTS, Customs warned that the advice may be subject to change.

¹⁰ Cresols are mixed chemical isomers obtained from coal tar or petroleum and used as intermediates in the production of disinfectants, certain plastics resins, cleaning preparations, pesticides, surfactants, flavorings and other finished products.

¹¹ Customs Cooperation Council, “Report to the Customs Cooperation Council on the Fourth Session of the Harmonized System Committee,” CCC Doc. 35.700, Oct. 26, 1989, Annex D/6 and Annex U/15.

However, after implementation of the HTS, Customs issued at least three similar rulings. In HQ 084732, dated August 24, 1989, Customs specifically stated that it "does not agree with the position of the HSC with respect to the merchandise at issue." The merchandise at issue in this ruling was a small ring box of plastics covered by a flocked textile material. This box was held to be classifiable in HTS subheading 3923.90.00, with an MFN duty rate of 3 percent ad valorem.

In ruling letter HQ 086186, dated January 2, 1990, Customs addressed 12 samples, including square and rectangular boxes of plastics or of metal, all covered with paper or textile materials. According to the ruling letter, all the sample boxes were "designed for the display of jewelry and related items as well as the transportation and protection of those items after purchase and up until the time of first use." Customs further stated that "the term 'jewelry boxes' does not include these goods." Without more specific component material information, Customs would not make a binding ruling on these boxes, but did say that it would classify them "as containers or articles made of the component material which provides the item's essential character." In a subsequent ruling, HQ 089830, dated July 26, 1991, Customs ruled that five sample boxes of steel or iron, covered with textile fabric, for the display of jewelry, were not "jewelry

boxes" for the purposes of heading 4202 and were, therefore, classifiable by their essential character in HTS subheading 7310.29.00, with an MFN duty rate of Free.

In January 1992, Customs announced its intention to reconsider rulings 086186 and 089830. Following comprehensive consultations with the importers and domestic producers of these products, Customs issued a ruling letter (HQ 951028, dated March 3, 1993) that revoked both prior rulings. The result was that the point-of-purchase jewelry presentation boxes in question would now be classifiable in HTS subheading 4202.90.90, with an MFN duty rate of 20 percent ad valorem.

On March 9, 1993, counsel representing importers of these boxes requested that, pursuant to section 1205, the Commission propose modifications to heading 4202 to restore duty rates that were applicable before Customs revoked rulings 086186 and 089830. The importers' specific proposal was to insert the following new subheadings under HTS heading 4202:¹²

¹² The duty rates proposed for new subheadings 4202.92.61, 4202.90.63, 4202.90.65, 4202.90.67, and 4202.90.69 are derived from existing subheadings 3923.10.00, 7310.29.00, 4420.90.40, 4420.90.60, and 6307.90.99, respectively.

HTS heading or subheading	Article description	Col. 1- general duty rate	Col. 1- special duty rate	Col. 2 duty rate
[4202	Trunks, suitcases, vanity cases,....]			
	[Other:]			
[4202.92	With outer surface of sheeting of plastics or of textile materials:]			
	"Jewelry boxes, and similar boxes, used for the presentment and/or retail sale of articles:			
4202.92.61	Of plastics	3%	Free (A,E,I,L,J) 1.5% (CA)	80%
4202.92.63	Of iron or steel	Free		25%
	Of wood:			
4202.92.65	Not lined with textile fabrics	6.7%	Free (A,E,I,L,J) 3.3% (CA)	33 1/3%
4202.92.67	Other	2.2¢/kg + 2.9%	Free (E,I,L,J) 1.1¢/kg + 1.4% (CA)	11¢/kg + 20%
4202.92.69	Other	7%	Free (A,B,E, I,L,J) 3.5% (CA)	40%"

It is recalled that, under section 1205(a), the Commission shall recommend HTS modifications that it considers necessary or appropriate (1) to conform the HTS with amendments made to the HS Convention, (2) to promote the uniform application of the HS nomenclature, (3) to ensure that the HTS is kept up to date in light of changes in technology or in trade patterns, (4) to alleviate unnecessary administrative burdens, and (5) to make technical rectifications. It is further recalled that, under section 1205(d), any proposed modification, among other things, must ensure substantial duty-rate neutrality and must not alter existing competitive conditions affecting U.S. industry, labor, or trade.

The importers claimed that the basis for Customs' revocation of its prior rulings concerning these products was the HSC's adoption of the revised Explanatory Note that included these products in heading 4202. Because Customs was changing its classification practice to promote the uniform application of the HS nomenclature, transfer of these products from other HTS chapters (depending on the material imparting essential character to the boxes) to chapter 42 should be made, in the importers' view, in such manner as to ensure rate neutrality and maintain existing conditions of competition in the U.S. industry, as outlined in section 1205(d).

Customs, in its submission to the Commission, stated that "[u]ntil recently, the Customs Service had no established practice or position regarding the classification" of the subject boxes. The submission continues by saying that Customs "has since issued several rulings which reflect a consistent classification for jewelry presentation boxes in heading 4202." The implication is that Customs has promoted uniformity with the HS Convention by its recent rulings classifying these boxes in heading 4202. The submission concludes this issue by stating that it does "not regard the proposed tariff provisions in heading 4202 as necessary..." and by recommending "that the Commission reconsider its proposal to amend heading 4202...."

The Commission does not consider that the importers have demonstrated sufficient justification for it to recommend proposed modifications to the President in this regard, because none of the conditions for making such recommendations, as outlined in section 1205(a), appear to be met by such proposals. First, no amendment of the HS Convention occurred as a result of the HSC's adoption of the new Explanatory Note that confirmed the inclusion of point-of-purchase jewelry presentation boxes in heading 4202. Second, uniform application of the Convention has apparently been promoted by Customs' recent rulings to reclassify these

products—changes in duty rates notwithstanding—in heading 4202. Third, changes in technology or trade patterns are not at issue in this case. Fourth, the importers' proposal does not alleviate any unnecessary administrative burden and, in fact, may lead to increased administrative burden. Finally, the proposed modifications cannot be considered to be within the realm of technical rectifications to the HTS.

The Commission notes that Customs is the administrative agency responsible for U.S. import tariff classification. If a change in tariff treatment by Customs is felt to be incorrect, importers and domestic producers have administrative and judicial remedies available to them. These remedies are available, whether or not changes in Customs treatment are based on HSC decisions.

Certain support hosiery

As part of Presidential Proclamation 6515, dated December 16, 1992,¹³ surgical compression stockings for orthopedic purposes were given separate tariff treatment under new HTS subheading 6115.93.15. Subsequently, the proponent of this modification, Sigvaris, Inc., through legal counsel, notified the Commission that the new provision covered only stockings of synthetic fibers and omitted consideration of such stockings made of cotton. Further, according to Sigvaris, the transfer of surgical compression products from chapter 90 to chapter 61 should have included panty hose of synthetic fibers and of cotton. These modifications are included in the Commission's recommendation.

Modifications to Conform the HTS with Amendments to the HS Nomenclature

This group of proposed modifications are required to implement a recommendation to amend the HS Convention adopted by the CCC on July 4, 1993. The amendments reflect (1) the culmination of a 3-year effort by the HSC's Review Subcommittee to update the international HS to reflect new product and manufacturing technologies and changing world trade patterns and (2) other HSC classification decisions requiring changes to the legal text of the HS nomenclature. Under article 16 the HS Convention, these changes are to become effective on January 1, 1996, unless an objection is entered by any contracting party by January 5, 1994.

¹³ *Federal Register*, Dec. 17, 1992, 57 F.R. 60053.

Probable Economic Effects of Proposed Modifications

In the Commission's judgment, the proposed modifications do not alter existing Customs tariff treatment of the commodities involved. Furthermore, the modifications do not alter existing conditions of competition for the affected U.S. industry, labor, or trade. Consequently, it is believed that the modifications, if proclaimed, would ensure substantial rate neutrality and would have no significant economic effect on U.S. industry or labor.

Appendix A

FEDERAL REGISTER NOTICE OF COMMISSION'S INSTITUTION OF INVESTIGATION NO. 1205-3

Ranch will use the land for farming and grazing. The land acquired has recreation, wildlife and riparian values. Disposal and acquisition of these lands were not analyzed in the West HLine Resource Management Plan (RMP) and associated Environmental Impact Statement. Disposal of Federal land requires that the specific tract be identified in the land use plan with the criteria to be met for exchange and discussion of how the criteria have been satisfied. This will be part of the plan amendment and environmental assessment. The Great Falls Resource Area, Lewistown District, Bureau of Land Management will prepare an environmental assessment to analyze the effects of disposal.

PUBLIC PARTICIPATION: Comments and recommendations on this notice to amend the West HLine RMP should be received on or before 30 days from the date of this notice.

ADDRESSES: Comments should be sent to the Great Falls Resource Area, 812 14th St. N., Great Falls, MT 59401.

FOR FURTHER INFORMATION CONTACT: Richard L. Hopkins, Area Manager, Great Falls Resource Area, 812 14th St. N., Great Falls, MT 59401, 406-727-0503.

Dated: May 12, 1993.

David L. Mari,
District Manager.

[FR Doc. 93-11874 Filed 5-19-93; 8:45 am]
BILLING CODE 4310-01-0

[UT-040-03-4210-05]

Kanab/Escalante Management Framework Plan, etc., Garfield County, Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: This notice is to advise the public that the Bureau of Land Management (BLM) is proposing to do a plan amendment for the Cedar/Deaver/Garfield/Antimony (CBGA) Resource Management Plan (RMP) and the Kanab/Escalante Management Framework Plan (MFP) located in Garfield County, Utah. **DATES:** The comment period for these proposed plan amendments will commence with publication of this notice. Comments must be submitted on or before June 21, 1993.

FOR FURTHER INFORMATION CONTACT: A.J. Martinez, Area Manager, Escalante Resource Area, P.O. Box 225, Escalante, Utah 84726. Existing planning documents and information are available at the above address or

telephone (801) 828-4291. Comments on these proposed plan amendments should be sent to the above address. **SUPPLEMENTARY INFORMATION:** The BLM is proposing to amend the CBGA RMP and the Kanab/Escalante MFP, which includes public lands in Garfield County, Utah. The proposed amendments would be to make certain public lands available for disposal pursuant to the Recreation and Public Purposes Act, as amended (43 U.S.C. 869 et seq.) for local government entities in Garfield County for the purpose of developing a countywide collection system for the county landfill.

The public land being considered for disposal, comprising 72.5 acres, is described as follows:

Salt Lake Meridian, Utah.

Township 31 South, Range 2 West, Section 10, NW¼SE¼SW¼;
Township 33 South, Range 4 East, Section 35, SW¼SW¼SW¼;
Township 35 South, Range 2 East, Section 24, NE¼SE¼NE¼;
Township 35 South, Range 3 East, Section 29, S½S½SW¼SW¼;
Township 37 South, Range 2 West, Section 27, N½SE¼SE¼NE¼;
Township 37 South, Range 3 West, Section 3, NW¼NE¼NW¼;
Township 37 South, Range 3 West, Section 5W¼NE¼SE¼, NE¼SE¼NE¼SE¼, W½NW¼NE¼SE¼.

The existing plans do not identify these lands as suitable for disposal. However, because of resource values, public values, and objective involved, the public interest may be well served by disposal of these lands to local government entities. An environmental assessment will be prepared to analyze the impacts of this proposal and alternatives.

A.J. Meredith,
Acting State Director.

[FR Doc. 93-11777 Filed 5-19-93; 8:45 am]
BILLING CODE 4310-00-0

INTERNATIONAL TRADE COMMISSION

[Investigation No. 1205-3]

Proposed Modifications to the Harmonized Tariff Schedule Pursuant to Section 1205 of the Omnibus Trade and Competitiveness Act of 1988

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and scheduling of hearing.

EFFECTIVE DATE: May 11, 1993.

FOR FURTHER INFORMATION, CONTACT: Eugene A. Rosengarden, Director, Office

of Tariff Affairs and Trade Agreements (telephone 202-295-2392) or David R. Beck (202-295-2604), U.S. International Trade Commission, Washington, DC 20436.

Background and Scope of Investigation

On May 11, 1993, the Commission instituted investigation No. 1205-3, Proposed Modifications to the Harmonized Tariff Schedule of the United States, pursuant to section 1205 of the Omnibus Trade and Competitiveness Act of 1988. Section 1205 directs the Commission to keep the Harmonized Tariff Schedule of the United States (HTS) under continuous review and to recommend modifications to the HTS (1) when amendments to the International Convention on the Harmonized Commodity Description and Coding System (Harmonized System) and the Protocol thereto, are recommended by the Customs Cooperation Council (CCC) for adoption, and (2) as other circumstances warrant.

The CCC is expected to recommend in July 1993 certain modifications to the nomenclature of the international Harmonized System, in accordance with Article 16 of the Harmonized System Convention. The changes proposed to conform the HTS with the CCC's recommendations and to reflect certain other decisions taken by the Harmonized System Committee (HSC) are available in the Office of the Secretary, Room 112, United States International Trade Commission, 500 E Street SW, Washington, DC 20436 (telephone 202-205-2000). These changes cover (1) all decisions taken by the HSC during its 4th through 10th sessions and (2) certain proposals that are subject to further consideration by the HSC at its 11th session. The 11th session was scheduled for the last 2 weeks in April 1993, with a followup in the first week in June 1993. Following the end of HSC's 11th session, a second notice will be issued indicating the final resolution of these latter questions and any additional decisions taken by the HSC at that time. If necessary, a second hearing may also be scheduled.

Public Hearing

A public hearing in connection with this investigation will be held in the Main Hearing Room (room 101) of the U.S. International Trade Commission, 500 E Street, SW, Washington, DC, on June 15, 1993, at 9:30 a.m. If necessary, the hearing may be extended through June 16, 1993. All persons shall have the right to appear by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the

Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, not later than noon, June 1, 1993. Written prehearing comments (original and 14 copies) should be filed not later than noon, June 8, 1993. Post-hearing comments may be submitted by no later than June 23, 1993.

Written Submissions

Interested parties (including other Federal agencies) are invited to submit written statements concerning the subject of the report. Such statements must be submitted by not later than June 23, 1993, in order to be considered by the Commission. Commercial or financial information that a party desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available for inspection by interested persons. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436.

Hearing-impaired individuals are advised that information on this matter can be obtained by contacting our TDD terminal on 202-205-2848.

By order of the Commission.

Issued: May 14, 1993.

Paul R. Berdes,

Acting Secretary.

[FR Doc. 93-11965 Filed 5-19-93; 8:45 am]

BILLING CODE 7030-02-P

[Investigation 337-TA-342]

Initial Determination Terminating Respondents on the Basis of Settlement Agreement; Certain Circuit Board Testers

AGENCY: International Trade Commission.

ACTION: Notice is hereby given that the Commission has received an initial determination from the presiding officer in the above captioned investigation terminating the following respondents on the basis of a settlement agreement: Bath Scientific, Ltd. and BSL North America.

SUPPLEMENTARY INFORMATION: This investigation is being conducted pursuant to section 337 of the Tariff Act

of 1930 (19 U.S.C. 1337). Under the Commission's rules, the presiding officer's initial determination will become the determination of the Commission thirty (30) days after the date of its service upon the parties, unless the Commission orders review of the initial determination. The initial determination in this matter was served upon parties on May 13, 1993.

Copies of the initial determination, the settlement agreement, and all other nonconfidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

WRITTEN COMMENTS: Interested persons may file written comments with the Commission concerning termination of the aforementioned respondents. The original and 14 copies of all such documents must be filed with the Secretary to the Commission, 500 E Street, SW., Washington, DC 20436, no later than 10 days after publication of this notice in the Federal Register. Any person desiring to submit a document (or portions thereof) to the Commission in confidence must request confidential treatment. Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why confidential treatment should be granted. The Commission will either accept the submission in confidence or return it.

FOR FURTHER INFORMATION CONTACT: Ruby J. Dionne, Office of the Secretary, U.S. International Trade Commission, telephone (202) 205-1802.

By order of the Commission.

Issued: May 13, 1993.

Paul R. Berdes,

Acting Secretary.

[FR Doc. 93-11955 Filed 5-19-93; 8:45 am]

BILLING CODE 7030-02-P

[Investigation 337-TA-348]

Certain In-Line Roller Skates with Ventilated Boots and In-Line Roller Skates with Axle Aperture Plugs and Component Parts Thereof; Initial Determination Terminating Respondent on the Basis of Settlement Agreement

AGENCY: U.S. International Trade Commission.

ACTION: Notice is hereby given that the Commission has received an initial determination from the presiding officer in the above captioned investigation terminating the following respondents on the basis of a settlement agreement: Canstar Sport U.S.A., Inc. and Canstar Sports Group, Inc.

SUPPLEMENTARY INFORMATION: This investigation is being conducted pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). Under the Commission's rules, the presiding officer's initial determination will become the determination of the Commission thirty (30) days after the date of its service upon the parties, unless the Commission orders review of the initial determination. The initial determination in this matter was served upon parties on May 11, 1993.

Copies of the initial determination, the settlement agreement, and all other nonconfidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

WRITTEN COMMENTS: Interested persons may file written comments with the Commission concerning termination of the aforementioned respondents. The original and 14 copies of all such documents must be filed with the Secretary to the Commission, 500 E Street, SW., Washington, DC 20436, no later than 10 days after publication of this notice in the Federal Register. Any person desiring to submit a document (or portions thereof) to the Commission in confidence must request confidential treatment. Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why confidential treatment should be granted. The Commission will either

Appendix B

COMMISSION'S PROPOSED MODIFICATIONS TO THE HTS

N O T E

The proposed modifications in this appendix are presented as follows:

- those to be implemented as soon as practicable;
- those to be implemented on January 1, 1996
 - modifications to chapters 1 through 97
 - conforming modifications to the HTS general notes and to chapters 98 and 99

The modifications reflect current column 1-general (MFN) and column 2 duty rates.

The column 1-special rates shown are those scheduled to be effective on January 1, 1996, as duty-reduction staging schedules are known to exist at the time of this writing. Any staged reductions of the special rates beyond January 1, 1996, will be provided for upon implementation. Future changes in the Generalized System of Preferences, acceleration of rates applicable to eligible imports from Canada under the U.S.-Canada Free-Trade Agreement, future adjustments to duty-free treatment under other U.S. tariff preference programs, potential modifications from the proposed North American Free Trade Agreement, or the Uruguay Round of multilateral trade negotiations under the GATT are not anticipated in this appendix.

Existing statistical annotations in the HTS are not reflected in this appendix, but will be provided for, as appropriate, upon implementation of the proposed modifications.

The footnotes containing the expression "ex" indicate the tariff item or items from which the proposed rates of duty are derived.

PROPOSED MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE
OF THE UNITED STATES (HTS)

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of the proclaimed modifications. The following supersedes matter now in the HTS. The subheadings and superior texts are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1-General", "Rates of Duty 1-Special", and "Rates of Duty 2", respectively.

Effective with respect to articles that are entered, or withdrawn from warehouse for consumption, on or after the fifteenth day after the date of publication of a proclamation in the Federal Register.

1. The following new additional U.S. note 6 to chapter 17 is inserted:

"6. For the purposes of subheading 1704.90.25, "cough drops" must contain a minimum of 5 mg per dose of menthol, of eucalyptol, or of a combination of menthol and eucalyptol.

2. Subheading 1704.90.20 is superseded by the following:

[Sugar confectionery...:]			
[Other:]			
[Confections or sweetmeats...:]			
"Other:			
"1704.90.25 ¹	Cough drops.....	3.9%	Free (A*,E,IL,J) 30%
			1.5% (CA)
1704.90.35 ²	Other.....	7%	Free (A,E,IL,J) 40%"
			2.8% (CA)

3. Subheading 2707.60.00 is superseded by the following:

[Oils and other products of the distillation...:]			
Phenols:			
"2707.60			
2707.60.10 ³	Metacresol, orthocresol, paracresol and metaparacresol, all the foregoing having a purity of 75 percent or more by weight.....	1.1¢/kg + 3.7%	Free (A,CA,E,IL,J) 15.4¢/kg + 42.5%
2707.60.20 ⁴	Other.....	2.9¢/kg + 12.5%	Free (A,CA,E,IL,J) 7.7¢/kg + 29.5%"

4. Subheading 2707.99.30 is deleted.

¹ ex 3004.90.30
² ex 1704.90.20
³ ex 2707.99.30
⁴ ex 2707.60.00

5. Subheadings 6115.12.00 and 6115.19.00 are superseded by the following:

[Panty hose, tights, stockings, socks...:]			
[Panty hose and tights:]			
"6115.12	Of synthetic fibers, measuring per		
	single yarn 67 decitex or more:		
6115.12.10 ⁵	Surgical panty hose with		
	graduated compression for		
	orthopedic treatment.....	5.8%	Free (A,E,IL,J) 40%
			0.5% (CA)
6115.12.20 ⁶	Other.....	17%	Free (IL) 72%
			1.7% (CA)
6115.19	Of other textile materials:		
6115.19.10 ⁷	Surgical panty hose with		
	graduated compression for		
	orthopedic treatment.....	5.8%	Free (A,E,IL,J) 40%
			0.5% (CA)
6115.19.20 ⁸	Other.....	17%	Free (E*,IL,J*) 90%"
			1.7% (CA)

6. Subheading 6115.92.20 is superseded by the following:

[Panty hose, tights, stockings, socks...:]			
[Other:]			
[Of cotton:]			
"Other:			
6115.92.25 ⁹	Surgical stockings with		
	graduated compression for		
	orthopedic treatment.....	5.8%	Free (A,E,IL,J) 40%
			0.5% (CA)
6115.92.30 ¹⁰	Other.....	14.4%	Free (IL) 51%"
			1.4% (CA)

7. The article description of subheading 6115.93.15 is superseded by the following:

"Surgical stockings with graduated compression for orthopedic treatment"

8. The article description of subheading 9905.90.09 is modified by deleting the expression "subheading 9021.19" and inserting the expression "subheading 6115.92.25, 6115.93.15, or 9021.19" in lieu thereof.

⁵ ex 9021.19.85

⁶ ex 6115.12.00

⁷ ex 9021.19.85

⁸ ex 6115.19.00

⁹ ex 9021.19.80

¹⁰ ex 6115.92.20

Effective with respect to articles that are entered, or withdrawn from warehouse for consumption, on or after January 1, 1996, or on or after the fifteenth day after the date of publication of this proclamation in the Federal Register, whichever is later.

GENERAL NOTES

GN-1. The table in General note 6 is modified by inserting after the expression "MPa - megapascals" the following expression: "MW - megawatts".

CHAPTER 1

1-1. Subheadings 0105.11.00 through 0105.99.00 are superseded by the following:

[Live poultry of the following...:]				
"Weighing not more than 185 g:				
0105.11.00 ¹¹	Chickens.....	2¢ each	Free (E,IL,J) 0.4¢ each (CA)	4¢ each
0105.12.00 ¹²	Turkeys.....	2¢ each	Free (E,IL,J) 0.4¢ each (CA)	4¢ each
0105.19.00 ¹³	Other.....	2¢ each	Free (E,IL,J) 0.4¢ each (CA)	4¢ each
Other:				
0105.92.00 ¹⁴	Chickens, weighing not more than 2,000 g.....	4.4¢/kg	Free (E,IL,J) 0.8¢/kg (CA)	17.6¢/kg
0105.93.00 ¹⁵	Chickens, weighing more than 2,000 g.....	4.4¢/kg	Free (E,IL,J) 0.8¢/kg (CA)	17.6¢/kg
0105.99.00 ¹⁶	Other.....	4.4¢/kg	Free (E,IL,J) 0.8¢/kg (CA)	17.6¢/kg"

CHAPTER 2

2-1. Subheadings 0207.10 through 0207.50.00 are superseded by the following:

[Meat and edible offal, of the poultry of...:]				
"Of chickens:				
0207.11.00 ¹⁷	Not cut in pieces, fresh or chilled.....	11¢/kg	Free (E,IL,J) 2.2¢/kg (CA)	22¢/kg
0207.12.00 ¹⁸	Not cut in pieces, frozen.....	11¢/kg	Free (E,IL,J) 2.2¢/kg (CA)	22¢/kg
0207.13.00 ¹⁹	Cuts and offal, fresh or chilled.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg
0207.14.00 ²⁰	Cuts and offal, frozen.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg

-
- ¹¹ no change
 - ¹² ex 0105.19.00
 - ¹³ ex 0105.19.00
 - ¹⁴ ex 0105.91.00
 - ¹⁵ ex 0105.91.00
 - ¹⁶ no change
 - ¹⁷ ex 0207.10.40
 - ¹⁸ ex 0207.21.00
 - ¹⁹ ex 0207.39.00
 - ²⁰ ex 0207.41.00, 0207.50.00

0207.24.00 ²¹	Of turkeys: Not cut in pieces, fresh or chilled.....	18.7¢/kg	Free (E,IL,J) 3.7¢/kg (CA)	22¢/kg
0207.25	Not cut in pieces, frozen:			
0207.25.20 ²²	Valued less than 88¢/kg.....	11¢/kg	Free (E,IL,J) 2.2¢/kg (CA)	22¢/kg
0207.25.40 ²³	Valued 88¢ or more per kg.....	12.5%	Free (E,IL,J) 2.5% (CA)	25%
0207.26.00 ²⁴	Cuts and offal, fresh or chilled.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg
0207.27.00 ²⁵	Cuts and offal, frozen.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg
0207.32.00 ²⁶	Of ducks, geese or guineas: Not cut in pieces, fresh or chilled.....	11¢/kg	Free (E,IL,J) 2.2¢/kg (CA)	22¢/kg
0207.33.00 ²⁷	Not cut in pieces, frozen.....	11¢/kg	Free (A,E,IL,J) 2.2¢/kg (CA)	22¢/kg
0207.34.00 ²⁸	Fatty livers, fresh or chilled.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg
0207.35.00 ²⁹	Other, fresh or chilled.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg
0207.36.00 ³⁰	Other, frozen.....	22¢/kg	Free (E,IL,J) 4.4¢/kg (CA)	22¢/kg"

2-2. The article description of heading 0209.00.00 is superseded by the following:

"Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked"

CHAPTER 3

3-1. The article description of subheading 0301.91.00 is superseded by the following:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)"

3-2. The article description of subheading 0302.11.00 is superseded by the following:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)"

-
- ²¹ ex 0207.10.20
 - ²² ex 0207.22.20
 - ²³ ex 0207.22.40
 - ²⁴ ex 0207.39.00
 - ²⁵ ex 0207.42.00, 0207.50.00
 - ²⁶ ex 0207.10.40
 - ²⁷ ex 0207.23.00
 - ²⁸ ex 0207.31.00, 0207.39.00
 - ²⁹ ex 0207.39.00
 - ³⁰ ex 0207.43.00, 0207.50.00

3-3. The article description of subheading 0302.12.00 is superseded by the following:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tshawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), Atlantic salmon (Salmo salar) and Danube salmon (Hucho hucho)"

3-4. The article description of subheading 0303.10.00 is superseded by the following:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tshawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), excluding livers and roes"

3-5. The article description of subheading 0303.21.00 is superseded by the following:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)"

3-6. The article description of subheading 0305.41.00 is superseded by the following:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tshawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), Atlantic salmon (Salmo salar) and Danube salmon (Hucho hucho)"

CHAPTER 4

4-1. Notes 2 and 3 to chapter 4 are renumbered as 3 and 4, respectively, and the following new note 2 is inserted:

"2. For the purposes of heading 0405:

- (a) The term "butter" means natural butter, whey butter or recombined butter (fresh, salted or rancid, including canned butter) derived exclusively from milk, with a milkfat content of 80 percent or more but not more than 95 percent by weight, a maximum milk solids-not-fat content of 2 percent by weight and a maximum water content of 16 percent by weight. Butter does not contain emulsifiers, but may contain sodium chloride, food colors, neutralizing salts and cultures of harmless lactic-acid-producing bacteria.
- (b) The expression "dairy spreads" means a spreadable emulsion of the water-in-oil type, containing milkfat as the only fat in the product, with a milkfat content of 39 percent or more but less than 80 percent by weight."

4-2. The following new subheading note 2 to chapter 4 is inserted:

"2. For the purposes of subheading 0405.10 the term "butter" does not include dehydrated butter or ghee (subheading 0405.90)."

4-3. Heading 0405.00 and subheadings 0405.00.70 through 0405.00.80 are superseded by the following:

"0405	Butter and other fats and oils derived from milk;			
	dairy spreads:			
0405.10	Butter:			
0405.10.10 ³¹	Described in additional U.S. note 1(b) to this chapter.....	12.3¢/kg	Free (E,IL,J) 2.4¢/kg (CA)	30.9¢/kg
0405.10.20 ³²	Other.....	30.9¢/kg	Free (E,IL,J) 6.1¢/kg (CA)	30.9¢/kg
0405.20.00 ³³	Dairy spreads.....	10%	Free (A,E,IL,J) 2% (CA)	20%
0405.90.00 ³⁴	Other.....	10%	Free (E,IL,J) 2% (CA)	20%"

³¹ ex 0405.00.70

³² ex 0405.00.75

³³ ex 2106.90.65

³⁴ ex 0405.00.80

CHAPTER 5

5-1. The article description of heading 0504.00.00 is superseded by the following:

"Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked"

CHAPTER 6

6-1. Subheadings 0602.91.00 through 0602.99.90 are superseded by the following:

[Other live plants...:]				
"0602.90	Other:			
	Herbaceous perennials:			
0602.90.20 ³⁵	Orchid plants.....	Free		25%
	Other:			
0602.90.30 ³⁶	With soil attached to roots....	2.2%	Free (A,E,IL,J) 0.4% (CA)	30%
0602.90.40 ³⁷	Other.....	5.5%	Free (A,E,IL,J) 1.1% (CA)	30%
	Other:			
0602.90.50 ³⁸	Mushroom spawn.....	2.2¢/kg	Free (CA,E,IL,J)	2.2¢/kg
	Other:			
0602.90.60 ³⁹	With soil attached to roots....	3%	Free (A,E,IL,J) 0.6% (CA)	25%
0602.90.90 ⁴⁰	Other.....	7.5%	Free (A,E,IL,J) 1.5% (CA)	25%"

CHAPTER 7

7-2. Subparagraphs (c) and (d) of note 3 to chapter 7 are superseded by the following:

"(c) flour, meal, powder, flakes, granules and pellets of potatoes (heading 1105);

(d) flour, meal and powder of the dried leguminous vegetables of heading 0713 (heading 1106)."

7-3. Subheading 0712.10.00 is deleted.

-
- ³⁵ ex 0602.99.20
³⁶ ex 0602.99.30
³⁷ ex 0602.99.40
³⁸ ex 0602.91.00
³⁹ ex 0602.99.60
⁴⁰ ex 0602.99.90

7-4. The following new subheading 0712.90.30 is inserted in numerical order:

	[Dried vegetables, whole, cut, sliced,...:]		
	[Other vegetables; mixtures of vegetables:]		
"0712.90.30 ⁴¹	Potatoes whether or not cut or sliced		
	but not further prepared.....	2.9¢/kg	Free (A,E,IL,J) 6¢/kg"
			0.5¢/kg (CA)

7-5. The article description of heading 0714 is superseded by the following:

"Cassava (manioc), arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith:"

CHAPTER 8

8-1. Subheadings 0801.10.00 through 0801.30.00 are superseded by the following:

	[Coconuts, Brazil nuts and cashew nuts,...:]		
	"Coconuts:		
0801.11.00 ⁴²	Desiccated.....	Free	7.7¢/kg
0801.19.00 ⁴³	Other.....	Free	7.7¢/kg
	Brazil nuts:		
0801.21.00 ⁴⁴	In shell.....	Free	9.9¢/kg
0801.22.00 ⁴⁵	Shelled.....	Free	9.9¢/kg
	Cashew nuts:		
0801.31.00 ⁴⁶	In shell.....	Free	4.4¢/kg
0801.32.00 ⁴⁷	Shelled.....	Free	4.4¢/kg"

⁴¹ ex 0712.10.00
⁴² ex 0801.10.00
⁴³ ex 0801.10.00
⁴⁴ ex 0801.20.00
⁴⁵ ex 0801.20.00
⁴⁶ ex 0801.30.00
⁴⁷ ex 0801.30.00

8-2. Subheadings 0807.10 through 0807.10.80 are superseded by the following:

[Melons (including watermelons) and papayas....]				
"Melons (including watermelons):				
Watermelons:				
0807.11				
0807.11.30 ⁴⁸	If entered during the period from December 1, in any year, to the following March 31, inclusive.....	20%	Free (A,E,IL,J) 4% (CA)	35%
0807.11.40 ⁴⁹	If entered at any other time.....	20%	Free (E,IL,J) 4% (CA)	35%
0807.19	Other:			
Cantaloupes:				
0807.19.10 ⁵⁰	If entered during the period from August 1 to September 15, inclusive, in any year.....	20%	Free (E,IL,J) 4% (CA)	35%
0807.19.20 ⁵¹	If entered at any other time...	35%	Free (A*,E,IL,J) 7% (CA)	35%
Ogen and Galia melons:				
0807.19.50 ⁵²	If entered during the period from December 1, in any year, to the following May 31, inclusive.....	3.5%	Free (A,CA,E,IL,J)	35%
0807.19.60 ⁵³	If entered at any other time...	14%	Free (A,E,IL,J) 2.8% (CA)	35%
Other:				
0807.19.70 ⁵⁴	If entered during the period from December 1, in any year, to the following May 31, inclusive.....	8.5%	Free (A*,CA,E, IL,J)	35%
0807.19.80 ⁵⁵	If entered at any other time...	35%	Free (E,IL,J) 7% (CA)	35%"

8-3. The following new subheading 0810.50.00 is inserted in numerical order:

[Other fruit, fresh:]				
"0810.50.00 ⁵⁶	Kiwifruit.....	Free	2.8¢/kg"	

8-4. Subheading 0810.90.20 is renumbered as 0810.90.25, and the article description of that subheading is superseded by the following:

"Berries and tamarinds"

-
- ⁴⁸ ex 0807.10.30
 - ⁴⁹ ex 0807.10.40
 - ⁵⁰ ex 0807.10.10
 - ⁵¹ ex 0807.10.20
 - ⁵² ex 0807.10.50
 - ⁵³ ex 0807.10.60
 - ⁵⁴ ex 0807.10.70
 - ⁵⁵ ex 0807.10.80
 - ⁵⁶ ex 0810.90.20

CHAPTER 9

9-1. Subheadings 0901.30.00 and 0901.40.00 are superseded by the following:

[Coffee, whether or not roasted...]			
"0901.90	Other:		
0901.90.10 ⁵⁷	Coffee husks and skins.....	Free	10%
0901.90.20 ⁵⁸	Coffee substitutes containing coffee....	3.3¢/kg	Free (CA,E,IL,J) 6.6¢/kg"

CHAPTER 11

11-1. Note 2 to chapter 11 is modified by adding the following new sentence after the last sentence in paragraph (A) of that note:

"However, germ of cereals, whole, flattened, in flakes or ground is always classified in heading 1104."

11-2. The article description of heading 1105 is superseded by the following:

"Flour, meal, powder, flakes, granules and pellets of potatoes:"

11-3. The article description of subheading 1105.10.00 is superseded by the following:

"Flour, meal and powder"

11-4. The article description of heading 1106 is superseded by the following:

"Flour, meal and powder of the dried leguminous vegetables of heading 0713, of sago or of roots or tubers of heading 0714 or of the products of chapter 8:"

11-5. The article description of subheading 1106.10.00 is superseded by the following:

"Of the dried leguminous vegetables of heading 0713"

11-6. The article description of subheading 1106.20.00 is superseded by the following:

"Of sago or of roots or tubers of heading 0714"

11-7. The article description of subheading 1106.30 is superseded by the following:

"Of the products of chapter 8:"

⁵⁷ ex 0901.30.00

⁵⁸ ex 0901.40.00

CHAPTER 12

12-1. The article description of heading 1212 is modified by deleting the expression "fresh or dried," and inserting the expression "fresh, chilled, frozen or dried," in lieu thereof.

CHAPTER 13

13-1. Subparagraph (d) of note 1 to chapter 13 is superseded by the following:

"(d) Vegetable saps or extracts constituting alcoholic beverages (chapter 22);"

13-2. Subparagraph (h) of note 1 to chapter 13 is superseded by the following:

"(h) Essential oils, concretes, absolutes, resinoids, extracted oleoresins, aqueous distillates or aqueous solutions of essential oils or preparations based on odoriferous substances of a kind used for the manufacture of beverages (chapter 33); or"

13-3. The article description of heading 1301 is superseded by the following:

"Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams):"

CHAPTER 14

14-1. Subheading 1402.91.00 and the superior text thereto and subheading 1402.99.00 are superseded by the following:

[Vegetable materials of a kind used....]			
"1402.90	Other:		
1402.90.10 ⁵⁹	Vegetable hair.....	1.1¢/kg	Free (CA,E,IL,J) 2.2¢/kg
1402.90.90 ⁶⁰	Other.....	Free	20"

CHAPTER 15

15-1. Subparagraph (e) of note 1 to chapter 15 is modified by deleting the expression "in an isolated state".

15-2. The article description of heading 1501.00.00 is superseded by the following:

"Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503"

⁵⁹ ex 1402.91.00

⁶⁰ ex 1402.99.00

15-3. The article description of heading 1502.00.00 is superseded by the following:

"Fats of bovine animals, sheep or goats, other than those of heading 1503"

15-4. Heading 1519 and subheadings 1519.11.00 through 1519.30.60 are deleted.

15-5. Heading 1520 and subheadings 1520.10.00 and 1520.90.00 are superseded by the following:

"1520.00.00 ⁶¹	Glycerol, crude; glycerol waters and glycerol lyes.....	0.4¢/kg	Free (A,CA,E, IL,J)	2.2¢/kg"
---------------------------	--	---------	------------------------	----------

CHAPTER 16

16-1. Note 1 to chapter 16 is modified by inserting the expression "or heading 0504" after the expression "chapter 2 or 3".

16-2. The following new subheading is inserted in numerical order:

	[Other prepared or preserved meat...:] [Of poultry of heading 0105:]			
"1602.32.00 ⁶²	Of chickens.....	10%	Free (A,E,IL,J) 2% (CA)	20%"

CHAPTER 17

17-1. Subheading 1702.10.00 is superseded by the following:

	[Other sugars, including chemically pure...:] "Lactose and lactose syrup: Containing by weight 99 percent or more lactose, expressed as anhydrous lactose, calculated on the dry matter.....	10%	Free (E,IL,J) 2% (CA)	50%
"1702.11.00 ⁶³				
1702.19.00 ⁶⁴	Other.....	10%	Free (E,IL,J) 2% (CA)	50%"

CHAPTER 19

19-1. Note 3 to chapter 19 is superseded by the following:

"3. Heading 1904 does not cover preparations containing more than 6 percent by weight of cocoa calculated on a totally defatted basis or coated with chocolate or other food preparations containing cocoa of heading 1806 (heading 1806)."

⁶¹ ex 1520.10.00; content of 1520.90 being transferred to chapter 29

⁶² ex 1602.39.00

⁶³ ex 1702.10.00

⁶⁴ ex 1702.10.00

19-2. The article description of heading 1901 is superseded by the following:

"Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 percent by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 percent by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:"

19-3. The article description of heading 1904 is modified by deleting the language following the semicolon and inserting the following in lieu thereof:

"cereals (other than corn (maize)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked or otherwise prepared, not elsewhere specified or included:"

19-4. The following new subheadings 1904.20, 1904.20.10 and 1904.20.90 are inserted in numerical order:

[Prepared foods obtained by the swelling...:]				
"1904.20	Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:			
1904.20.10 ⁶⁵	In airtight containers and not containing apricots, citrus fruits, peaches or pears.....			
		7%	Free (E,IL,J)	35%
			1.4% (CA)	
1904.20.90 ⁶⁶	Other.....			
		17.5%	Free (E,IL,J)	35%"
			3.5% (CA)	

CHAPTER 20

20-1. The article description of heading 2004 is superseded by the following:

"Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:"

20-2. The article description of heading 2005 is superseded by the following:

"Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:"

20-3. Subheading 2005.30.00 is deleted.

⁶⁵ ex 2008.92.10

⁶⁶ ex 2008.92.90

20-4. The following new subheading 2005.90.30 is inserted in numerical order:

	[Other vegetables prepared or preserved...]			
	[Other vegetables and mixtures of vegetables:]			
"2005.90.30 ⁶⁷	Sauerkraut.....	7.5%	Free (E,IL,J) 1.5% (CA)	50%"

20-5. The article description of heading 2006.00 is superseded by the following:

"Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized):"

CHAPTER 21

21-1. Subparagraph (f) of note 1 to chapter 21 is deleted, and subparagraphs (g) and (h) are redesignated as (f) and (g), respectively.

21-2. The numerical subheading code "2101.10" is deleted; the article description is retained.

21-3. Subheading 2101.10.20 is renumbered as 2101.11.00.

21-4. Subheading 2101.10.40 is renumbered as 2101.12.00, and the article description of that heading is superseded by the following:

"Preparations with a basis of extracts, essences or concentrates or with a basis of coffee"

21-5.⁶⁸ The following new subheadings are inserted in numerical order:

	[Food preparations not elsewhere specified...]			
	[Other:]			
	"Compound alcoholic preparations of a kind used for the manufacture of beverages:			
2106.90.07 ⁶⁹	Containing not over 20 percent of alcohol by weight.....	6.6¢/kg + 3%	Free (A,CA,E,IL,J) 44¢/kg + 1.3¢/kg + 0.6% (CA)	25%

⁶⁷ ex 2005.30.00

⁶⁸ The CCC's intent in deleting subheading 2208.10 was to transfer as many of the subheading's products as possible to a newly expanded heading 3302. However, in a written submission, Joseph E. Seagram & Sons, Inc. pointed out that certain products of subheading 2208.10 do not contain odoriferous substances as defined in new note 2 to chapter 33, and therefore could not be "based on" odoriferous substances. After consultation with Customs, the Commission proposed these new subheadings to provide for products of subheading 2208.10 that could not fall in expanded heading 3302.

⁶⁹ ex 2208.10.30

2106.90.08 ⁷⁰	Containing over 20 percent but not over 50 percent of alcohol by weight.....	13.2¢/kg + 3%	Free (A,CA,E,IL,J) 88¢/kg + 2.6¢/kg + 0.6% (CA) 25%
2106.90.09 ⁷¹	Containing over 50 percent of alcohol by weight.....	26.5¢/kg + 3%	Free (A,CA,E,IL,J) \$1.76/kg + 5.3¢/kg + 0.6% (CA) 25%"

CHAPTER 22

22-1. The article description of heading 2206.00 is modified by inserting a comma after the expression "non-alcoholic beverages".

22-2. The article description of heading 2208 is superseded by the following:

"Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 percent vol; spirits, liqueurs and other spirituous beverages:"

22-3. Subheadings 2208.10 through 2208.10.90 are deleted.

22-4. The following new subheadings are inserted in numerical order:

[Undenatured ethyl alcohol....:]			
"2208.60	Vodka:		
	In containers each holding not over 4 liters:		
2208.60.10 ⁷²	Valued not over \$2.05/liter.....	67.6¢/pf. liter	Free (A,CA,E,IL,J) \$1.78/pf. liter 13.5¢/pf. liter (CA)
2208.60.20 ⁷³	Valued over \$2.05/liter.....	13.2¢/pf. liter	Free (A,CA,E,IL,J) \$1.78/pf. liter 2.6¢/pf. liter (CA)
2208.60.50 ⁷⁴	In containers each holding over 4 liters.....	33¢/pf. liter	Free (A,CA,E,IL,J) \$1.32/pf. liter 6.6¢/pf. liter (CA)
2208.70.00 ⁷⁵	Liqueurs and cordials.....	13.2¢/pf. liter	Free (A,CA,E,IL,J) \$3.08/pf. liter 2.6¢/pf. liter (CA)

22-5.⁷⁶ Subheadings 2208.90.60 (and the superior text thereto), 2208.90.65 and 2208.90.70 are deleted.

22-6. Subheading 2208.90.45 is redesignated as 2208.90.46, and the article description of that subheading is modified to read "Kirschwasser and ratafia".

⁷⁰ ex 2208.10.60

⁷¹ ex 2208.10.90

⁷² ex 2208.90.60

⁷³ ex 2208.90.65

⁷⁴ ex 2208.90.70

⁷⁵ ex 2208.90.45

⁷⁶ Customs' written submission indicated that, with a proposed new subheading 2208.60 to cover vodka, current HTS subheadings 2208.90.60, 2208.90.65, and 2208.90.70 would be unnecessary.

CHAPTER 23

23-5. The following new subheading 2306.70.00 is inserted in numerical order:

"2306.70.00 ⁷⁷	[Oilcake and other solid residues....] Of corn (maize) germ.....	0.7¢/kg	Free (A,CA,E, IL,J)	0.7¢/kg"
---------------------------	---	---------	------------------------	----------

CHAPTER 25

25-1. Subparagraph (g) of note 2 to chapter 25 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

25-2. Subheadings 2503, 2503.10.00 and 2503.90.00 are superseded by the following:

"2503.00.00 ⁷⁸	Sulfur of all kinds, other than sublimed sulfur, precipitated sulfur and colloidal sulfur.....	Free	Free"
---------------------------	---	------	-------

25-3. Subheading 2513.21.00 (and the superior text thereto) and subheading 2513.29.00 are superseded by the following:

"2513.20	[Pumice; emery; natural corundum,...] Emery, natural corundum, natural garnet and other natural abrasives:			
2513.20.10 ⁷⁹	Crude or in irregular pieces.....	Free		Free
2513.20.90 ⁸⁰	Other.....	0.7¢/kg	Free (A,CA,E, IL,J)	2.2¢/kg"

25-4.⁸¹ Subheading 2530.30.00 is deleted.

CHAPTER 26

26-1. Subparagraph (e) of note 1 to chapter 26 is superseded by the following:

"(e) Waste or scrap of precious metal or of metal clad with precious metal; other waste or scrap containing precious metal or precious metal compounds, of a kind used principally for the recovery of precious metal (heading 7112); or"

26-2. The article description of heading 2602.00.00 is modified by deleting the expression "manganiferous iron ores" and inserting the expression "ferruginous manganese ores" in lieu thereof.

⁷⁷ ex 2306.90.00

⁷⁸ ex 2503.10.00, 2503.90.00

⁷⁹ ex 2513.21.00

⁸⁰ ex 2513.29.00

⁸¹ The products of this subheading would be transferred to subheading 2530.90.00 with no change in MFN duty treatment.

CHAPTER 27

27-1. The following new subheading note 4 is inserted:

- "4. For the purposes of the subheadings of heading 2710 and for purposes of this subheading note:
- (a) "Light oils and preparations" means oils and preparations of which 90 percent or more by volume (including losses) distills at 210°C (ASTM D86 method);
 - (b) "Medium oils and preparations" means oils and preparations of which less than 90 percent by volume (including losses) distills at 210°C and 65 percent or more by volume (including losses) distills at 250°C (ASTM D86 method);
 - (c) "Heavy oils" means oils of which less than 65 percent by volume (including losses) distills at 250°C by the ASTM D86 method or of which the distillation percentage at 250°C cannot be determined by that method;
 - (d) "Motor spirit (gasoline), including aviation spirit" means light oils of the type used as fuel in piston engines;
 - (e) "Spirit type (gasoline type) jet fuel" means light oils of the type used as fuel for gas turbines and jet engines;
 - (f) "Kerosene (including kerosene type jet fuel)" means medium oils with a flash point higher than 21°C by the Abel-Pensky method, of the type used as a fuel for gas turbines, jet engines or piston engines, or as fuel for heating or lighting or for industrial cleaning, etc.;
 - (g) "Gas oils" means heavy oils of which 85 percent or more by volume (including losses) distills at 350°C (ASTM D86 method), primarily used as fuel for diesel engines and for heating;
 - (h) "Other fuel oils" means heavy oils (other than gas oils) commonly used for fuel;
 - (ij) "ASTM D86 method" means the method laid down by the American Society for Testing Materials and published in the 1976 edition of standard definitions and specifications for petroleum and lubricating products; and
 - (k) "Abel-Pensky method" means method DIN (Deutsche Industrie Norm) 51755 published in March 1974 by the DNA (Deutscher Normenausschuss)."

27-2. Heading 2710.00 and subheadings 2710.00.05 through 2710.00.60 are superseded by the following:

"2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 percent or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:			
	Light oils and preparations:			
2710.11.00 ⁸²	Motor spirit (gasoline), including aviation spirit.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.12.00 ⁸³	Spirit type (gasoline type) jet fuel....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.19	Other:			
2710.19.10 ⁸⁴	Motor fuel.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.19.20 ⁸⁵	Motor fuel blending stock.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.19.30 ⁸⁶	Naphthas (except motor fuel or motor fuel blending stock).....	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.19.40 ⁸⁷	Kerosene type jet fuel.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.19.50 ⁸⁸	Other:			
	Mixtures of hydrocarbons not elsewhere specified or included, which contain by weight not over 50 percent of any single hydrocarbon compound.....	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.19.90 ⁸⁹	Other.....	7%	Free (CA,E,IL,J)	25%
	Medium oils and preparations:			
2710.21	Kerosene (including kerosene type jet fuel):			
2710.21.10 ⁹⁰	Kerosene type jet fuel.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
	Other:			
2710.21.20 ⁹¹	Motor fuel.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.21.30 ⁹²	Motor fuel blending stock.....	52.5¢/bbl	Free (CA,IL)	\$1.05/bbl
2710.21.90 ⁹³	Kerosene (except motor fuel or motor fuel blending stock).....	10.5¢/bbl	Free (CA,IL)	21¢/bbl

⁸² ex 2710.00.1510, .1514, .1516, .1518

⁸³ ex 2710.00.1520

⁸⁴ ex 2710.00.1550

⁸⁵ ex 2710.00.18

⁸⁶ ex 2710.00.25

⁸⁷ ex 2710.00.1530; according to Japan's Ministry of Finance, Customs Training Institute, certain cold-weather, kerosene type jet fuels exist for which 90% or more by volume distills at 210°C.

⁸⁸ ex 2710.00.4510, .4590

⁸⁹ ex 2710.00.60

⁹⁰ ex 2710.00.1530

⁹¹ ex 2710.00.1550

⁹² ex 2710.00.18

⁹³ ex 2710.00.20

2710.29	Other:			
2710.29.10 ⁹⁴	Distillate and residual fuel oils (including blended fuel oils), testing 25 degrees A.P.I. or more and having a Saybolt Universal viscosity at 37.8°C of less than 45 seconds (light fuel oils).....	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.29.20 ⁹⁵	Other: Mixtures of hydrocarbons not elsewhere specified or included, which contain by weight not over 50 percent of any single hydrocarbon compound.....	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.29.90 ⁹⁶	Other.....	7%	Free (CA,E,IL,J)	25%
2710.91	Heavy oils and preparations:			
2710.91.10 ⁹⁷	Gas oils:			
2710.91.20 ⁹⁸	Testing under 25 degrees A.P.I.....	5.25¢/bbl	Free (CA,IL)	21¢/bbl
2710.92	Testing 25 degrees A.P.I. or more...	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.91.10 ⁹⁹	Other fuel oils:			
2710.91.20 ¹⁰⁰	Testing under 25 degrees A.P.I.....	5.25¢/bbl	Free (CA,IL)	21¢/bbl
2710.99	Testing 25 degrees A.P.I. or more...	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.99.10 ¹⁰¹	Other: Lubricating oils and greases, with or without additives:			
2710.99.20 ¹⁰²	Oils.....	84¢/bbl	Free (CA,IL)	\$1.68/bbl
	Greases:			
	Containing not over 10 percent by weight of salts of fatty acids of animal (including marine animal) or vegetable origin.....	5.8%	Free (A,CA,IL)	20%
2710.99.30 ¹⁰³	Other.....	1.3¢/kg + 5.7%	Free (A,CA,IL)	4.4¢/kg + 20%
2710.99.40 ¹⁰⁴	Other: Mixtures of hydrocarbons not elsewhere specified or included, which contain by weight not over 50 percent of any single hydrocarbon compound.....	10.5¢/bbl	Free (CA,IL)	21¢/bbl
2710.99.90 ¹⁰⁵	Other.....	7%	Free (CA,E,IL,J)	25%"

⁹⁴ ex 2710.00.1012, .1014; according to the American Petroleum Institute, certain fuel oils (e.g., ASTM D975 1-D grade diesel fuel) would overlap the medium and heavy categories.

⁹⁵ ex 2710.00.4590

⁹⁶ ex 2710.00.60

⁹⁷ ex 2710.00.0505, .0515, .0525, .0530, .0535, .0550

⁹⁸ ex 2710.00.1001, .1004, .1006, .1008, .1012, .1014, .1015, .1025, .1050

⁹⁹ ex 2710.00.0505, .0515, .0525, .0530, .0535, .0550

¹⁰⁰ ex 2710.00.1001, .1004, .1006, .1008, .1012, .1014, .1015, .1025, .1050

¹⁰¹ ex 2710.00.3010, .3020, .3030, .3040, .3050, .3070, .3080

¹⁰² ex 2710.00.35

¹⁰³ ex 2710.00.40

¹⁰⁴ ex 2710.00.4530, .4540, .4545, .4590

¹⁰⁵ ex 2710.00.60

CHAPTER 28

28-1. Subparagraph (d) of note 1 to chapter 28 is modified by inserting the expression "(including an anticaking agent)" after the word "stabilizer".

28-2. Subparagraph (e) of note 3 to chapter 28 is modified by deleting the expression "heading 3823" wherever it occurs, and inserting the expression "heading 3824" in lieu thereof.

28-3. Subparagraph (g) of note 3 to chapter 28 is superseded by the following:

"(g) The metals, whether or not pure, metal alloys or cermets, including sintered metal carbides (metal carbides sintered with a metal), of section XV; or"

28-4. Subheading 2827.37.00 is deleted.

28-5. The following new subheading 2827.39.25 is inserted in numerical order:

	[Chlorides, chloride oxides and chloride...:]		
	[Other chlorides:]		
	[Other:]		
"2827.39.25 ¹⁰⁶	Of tin.....	4.2%	Free (A*,CA,E, IL,J) 25%"

28-6. Subheading 2835.21.00 is deleted.

28-7. The following new subheading 2835.29.20 is inserted in numerical order:

	[Phosphinates (hypophosphites), phosphonates...:]		
	[Phosphates:]		
	[Other:]		
"2835.29.20 ¹⁰⁷	Of triammonium.....	1.5%	Free (A*,E,IL,J) 8.5%" 0.3% (CA)

28-8. Subheading 2836.93.00 is deleted.

28-9. The following new subheading 2836.99.20 is inserted in numerical order:

	[Carbonates; peroxocarbonates (percarbonates)...:]		
	[Other:]		
	[Other:]		
"2836.99.20 ¹⁰⁸	Bismuth carbonate.....	7%	Free (A*,CA,E, IL,J) 35%"

¹⁰⁶ ex 2827.37.00

¹⁰⁷ ex 2835.21.00

¹⁰⁸ ex 2836.93.00

28-10. Subheading 2841.60.00 is superseded by the following:

[Salts of oxometallic or peroxometallic acids:]				
"2841.60	Manganites, manganates and permanganates:			
2841.61.00 ¹⁰⁹	Potassium permanganate.....	5%	Free (A*,CA,E, IL,J)	23%
2841.69.00 ¹¹⁰	Other.....	5%	Free (A*,CA,E, IL,J)	23%"

28-11. Heading 2848 and subheadings 2848.10.00 and 2848.90.00 are superseded by the following:

"2848	Phosphides, whether or not chemically defined, excluding ferrophosphorus:			
2848.00.10 ¹¹¹	Of copper (phosphor copper), containing more than 15 percent by weight of phosphorus.....	2.6%	Free (A*,CA,E, IL,J)	32.5%
2848.00.90 ¹¹²	Of other metals or of nonmetals.....	Free		25%"

CHAPTER 29

29-1. Subparagraph (f) of note 1 to chapter 29 is modified by inserting the expression "(including an anticaking agent)" after the word "stabilizer".

29-2. Subparagraph (a) of note 2 to chapter 29 is superseded by the following:

"(a) Goods of heading 1504 or crude glycerol of heading 1520;"

29-3. Subparagraph (ij) of note 2 to chapter 29 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

29-4. Subparagraph (b) of note 5 to chapter 29 is modified by deleting the expression "or glycerol".

29-5. Subparagraph (d) of note 5 to chapter 29 is modified by deleting the expression "and glycerol".

¹⁰⁹ ex 2841.60.00
¹¹⁰ ex 2841.60.00
¹¹¹ ex 2848.10.00
¹¹² ex 2848.90.00

29-6. Subheading 2903.40.00 is superseded by the following:

[Halogenated derivatives of hydrocarbons:]				
"Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens:				
2903.41.00 ¹¹³	Trichlorofluoromethane.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.42.00	Dichlorodifluoromethane.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.43.00	Trichlorotrifluoroethanes.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.44.00	Dichlorotetrafluoroethanes and chloropentafluoroethane.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.45.00	Other derivatives perhalogenated only with fluorine and chlorine.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.46.00	Bromochlorodifluoromethane, bromotrifluoromethane and dibromotetrafluoroethanes.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.47.00	Other perhalogenated derivatives.....	3.7%	Free (A*,CA,E, IL,J)	25%
2903.49.00	Other.....	3.7%	Free (A*,CA,E, IL,J)	25%"

29-7. Subheading 2905.21.00 is deleted.

29-8. Subheading 2905.29.00 is superseded by the following:

[Acyclic alcohols and their halogenated...:]				
[Unsaturated monohydric alcohols:]				
"Other:				
2905.29.10 ¹¹⁴	Allyl alcohol.....	7.5%	Free (A*,CA,E, IL,J)	45%
2905.29.90 ¹¹⁵	Other.....	3.7%	Free (A*,CA,E, IL,J)	25%"

29-9. The following new subheading 2905.45.00 is inserted in numerical order:

[Acyclic alcohols and their halogenated...:]				
[Other polyhydric alcohols:]				
"2905.45.00 ¹¹⁶	Glycerol.....	1.1¢/kg	Free (A,CA,E, IL,J)	4.4¢/kg"

29-10. Subheading 2914.30.00 is superseded by the following:

[Ketones and quinones...:]				
Aromatic ketones without other oxygen function:				
2914.31.00 ¹¹⁷	Phenylacetone (1-Phenylpropan-2-one).....	11.9%	Free (A*,CA,E, IL,J)	15.4¢/kg + 58%
2914.39.00 ¹¹⁸	Other.....	11.9%	Free (A*,CA,E, IL,J)	15.4¢/kg + 58%"

¹¹³ all these new 8-digit x-outs are ex 2903.40.00

¹¹⁴ ex 2905.21.00

¹¹⁵ ex 2905.29.00

¹¹⁶ ex 1520.90.00

¹¹⁷ ex 2914.30.00

¹¹⁸ ex 2914.30.00

29-11. Subheading 2914.41.00 (and the superior text thereto) and subheadings 2914.49 through 2914.49.50 are superseded by the following:

[Ketones and quinones, whether or not with...:]				
"2914.40	Ketone-alcohols and ketone-aldehydes:			
2914.40.10 ¹¹⁹	4-Hydroxy-4-methylpentan-2-one (Diacetone alcohol).....	4%	Free (A*,CA,E, IL,J)	25%
	Other:			
	Aromatic:			
2914.40.20 ¹²⁰	1,2,3-Indantrione monohydrate (Ninhydrin).....	11%	Free (A*,CA,E, IL,J)	15.4¢/kg + 42%
2914.40.30 ¹²¹	Other.....	11%	Free (CA,E,IL,J)	15.4¢/kg + 42%
2914.40.90 ¹²²	Other.....	4.8%	Free (A*,CA,E, IL,J)	20% ["]

29-12. Subheadings 2916.33 through 2916.33.50 are superseded by the following:

[Unsaturated acyclic monocarboxylic acids...:]				
[Aromatic monocarboxylic acids...:]				
"2916.34	Phenylacetic acid and its salts:			
2916.34.10 ¹²³	Phenylacetic acid (α-Toluic acid).....	6.7%	Free (CA,E,IL,J)	15.4¢/kg + 40.5%
	Other:			
2916.34.15 ¹²⁴	Odoriferous or flavoring compounds.....	11.9%	Free (A*,CA,IL,J)	15.4¢/kg + 58%
	Other:			
2916.34.25 ¹²⁵	Products described in additional U.S. note 3 to section VI.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 57%
2916.34.55 ¹²⁶	Other.....	3.7¢/kg + 17.9%	Free (CA,E,IL,J)	15.4¢/kg + 57%
2916.35	Esters of phenylacetic acid:			
2916.35.15 ¹²⁷	Odoriferous or flavoring compounds.....	11.9%	Free (A*,CA,IL,J)	15.4¢/kg + 58%
	Other:			
2916.35.25 ¹²⁸	Products described in additional U.S. note 3 to section VI.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 57%
2916.35.55 ¹²⁹	Other.....	3.7¢/kg + 17.9%	Free (CA,E,IL,J)	15.4¢/kg + 57% ["]

¹¹⁹ ex 2914.41.00
¹²⁰ ex 2914.49.20
¹²¹ ex 2914.49.40
¹²² ex 2914.49.50
¹²³ ex 2916.33.10
¹²⁴ ex 2916.33.20
¹²⁵ ex 2916.33.30
¹²⁶ ex 2916.33.50
¹²⁷ ex 2916.33.20
¹²⁸ ex 2916.33.30
¹²⁹ ex 2916.33.50

29-13. The superior text immediately preceding subheading 2922.11.00 is superseded by the following:

"Amino-alcohols, other than those containing more than one kind of oxygen function, their ethers and esters; salts thereof:"

29-14. The following new subheading 2922.19.13 is inserted in numerical order:

	[Oxygen-function amino-compounds:]			
	[Amino-alcohols, other than those...:]			
	[Other:]			
	[Aromatic:]			
	[Drugs:]			
2922.19.13 ¹³⁰	Propranolol			
	hydrochloride.....	6.7%	Free (CA,E,IL,J)	15.4¢/kg + 47%"

29-15. The superior text immediately preceding subheading 2922.21 is superseded by the following:

"Amino-naphthols, other than those containing more than one kind of oxygen function, their ethers and esters; salts thereof:"

29-16. The superior text immediately preceding subheading 2922.41 is superseded by the following:

"Amino-acids, other than those containing more than one kind of oxygen function, and their esters; salts thereof:"

29-17. The following new subheadings 2922.43, 2922.43.10 and 2922.43.50 are inserted in numerical order:

	[Oxygen-function amino-compounds:]			
	[Amino-acids, other than those...:]			
"2922.43	Anthranilic acid and its salts:			
2922.43.10 ¹³¹	Products described in additional			
	U.S. note 3 to section VI.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 50%
2922.43.50 ¹³²	Other.....	3.7¢/kg + 15.6%	Free (CA,E,IL,J)	15.4¢/kg + 50%"

29-18. The article description of subheading 2922.49.10 is modified by inserting the following chemical name in alphabetical order:

"β-(β-Methoxyethoxyethyl)-4-aminobenzoate;"

29-19. The article description of subheading 2922.50.10 is modified by deleting the chemical name, "β-(β-Methoxyethoxyethyl)-4-aminobenzoate;"

29-20. The article description of subheading 2922.50.13 is modified by deleting the chemical name, "Propranolol hydrochloride;"

¹³⁰ ex 2922.50.13

¹³¹ ex 2922.49.30

¹³² ex 2922.49.35

29-21. The following new subheading 2924.22.00 is inserted in numerical order:

[Carboxamide-function compounds....:]				
[Cyclic amides (including cyclic....:)]				
"2924.22.00 ¹³³	2-Acetamidobenzoic acid.....	3.7¢/kg + 18.1%	Free (CA,E,IL,J)	15.4¢/kg + 58%"

29-22. Subheadings 2932.90 through 2932.90.50 are superseded by the following:

[Heterocyclic compounds with oxygen hetero-atom(s) only:]				
"Other:				
2932.91.00 ¹³⁴	Isosafrole.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 52%
2932.92.00 ¹³⁵	1-(1,3-Benzodioxol-5-yl)propan-2-one.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 52%
2932.93.00 ¹³⁶	Piperonal.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 52%
2932.94.00 ¹³⁷	Safrole.....	7.2%	Free (A*,CA,E, IL,J)	45%
2932.99	Other:			
Aromatic:				
Pesticides:				
2932.99.10 ¹³⁸	2,2-Dimethyl-1,3-benzo- dioxol-4-yl methylcarb- amate (Bendiocarb); and 2-Ethoxy-2,3-dihydro- 3,3-dimethyl-5-benzo- furanylmethanesulfonate..	6.8%	Free (A*,CA,E, IL,J)	15.4¢/kg + 40.5%
2932.99.20 ¹³⁹	Other.....	11.1%	Free (A*,CA,E, IL,J)	15.4¢/kg + 40%
2932.99.30 ¹⁴⁰	Heliotropin.....	4.8%	Free (CA,E,IL,J)	45%
2932.99.32 ¹⁴¹	Benzo-furan (Coumarone); and Dibenzofuran (Diphenylene oxide).....	Free		Free
2932.99.35 ¹⁴²	2-Hydroxy-3-dibenzofuran- carboxylic acid.....	7.8%	Free (CA,E,IL,J)	15.4¢/kg + 66.5%
2932.99.39 ¹⁴³	Benzo-intetrahydropyranyl ester; and Xanthen-9-one.....	5.8%	Free (CA,E,IL,J)	15.4¢/kg + 39.5%

-
- 133 ex 2924.29.46
 - 134 ex 2932.90.41
 - 135 ex 2932.90.41
 - 136 ex 2932.90.41
 - 137 ex 2932.90.37
 - 138 ex 2932.90.10
 - 139 ex 2932.90.20
 - 140 ex 2932.90.30
 - 141 ex 2932.90.32
 - 142 ex 2932.90.35
 - 143 ex 2932.90.39

2932.99.41 ¹⁴⁴	Other:			
	Products described in additional U.S. note 3 to section VI.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 52%
2932.99.45 ¹⁴⁵	Other.....	3.7¢/kg + 16.2%	Free (CA,E,IL,J)	15.4¢/kg + 52%
2932.99.50 ¹⁴⁶	Other.....	3.7%	Free (A*,CA,E,IL,J)	25%"

29-23. The article description of heading 2933 is superseded by the following:

"Heterocyclic compounds with nitrogen hetero-atom(s) only:"

29-24. The following new subheadings 2933.32 through 2933.32.50 are inserted in numerical order:

	[Heterocyclic compounds with nitrogen hetero-atoms...:]			
	[Compounds containing an unfused pyridine ring...:]			
"2933.32	Piperidine and its salts:			
2933.32.10 ¹⁴⁷	Piperidine.....	3.7¢/kg + 16.2%	Free (CA,E,IL,J)	15.4¢/kg + 52%
2933.32.50 ¹⁴⁸	Other.....	13.5%	Free (CA,E,IL,J)	15.4¢/kg + 52%"

29-25. The superior text immediately preceding subheading 2933.51 is superseded by the following:

"Compounds containing a pyrimidine ring (whether or not hydrogenated) or piperazine ring in the structure:"

29-26. The article description of heading 2934 is superseded by the following:

"Nucleic acids and their salts; other heterocyclic compounds:"

29-27. Subheadings 2939.40 through 2939.40.50 are superseded by the following:

	[Vegetable alkaloids, natural or reproduced...:]			
	"Ephedrine and its salts:			
2939.41.00 ¹⁴⁹	Ephedrine and its salts.....	3.7%	Free (A*,CA,E,IL,J)	15.4¢/kg + 59%
2939.42.00 ¹⁵⁰	Pseudoephedrine and its salts.....	7.6%	Free (A*,CA,E,IL,J)	15.4¢/kg + 59%
2939.49.00 ¹⁵¹	Other.....	3.7%	Free (A*,CA,E,IL,J)	15.4¢/kg + 59%"

-
- ¹⁴⁴ ex 2932.90.41
 - ¹⁴⁵ ex 2932.90.45
 - ¹⁴⁶ ex 2932.90.50
 - ¹⁴⁷ ex 2933.39.50
 - ¹⁴⁸ ex 2933.39.47
 - ¹⁴⁹ ex 2939.40.50
 - ¹⁵⁰ ex 2939.40.10
 - ¹⁵¹ ex 2939.40.50

29-28. Subheading 2939.60.00 is superseded by the following:

[Vegetable alkaloids, natural or reproduced...:]				
"Alkaloids of rye ergot and their derivatives; salts thereof:				
2939.61.00 ¹⁵²	Ergometrine and its salts.....	3.7%	Free (A*,CA,E, IL,J)	25%
2939.62.00 ¹⁵³	Ergotamine and its salts.....	3.7%	Free (A*,CA,E, IL,J)	25%
2939.63.00 ¹⁵⁴	Lysergic acid and its salts.....	3.7%	Free (A*,CA,E, IL,J)	25%
2939.69.00 ¹⁵⁵	Other.....	3.7%	Free (A*,CA,E, IL,J)	25%"

CHAPTER 30

30-1. Present notes 2 and 3 to chapter 30 are renumbered as 3 and 4, respectively, and the following new note 2 is inserted:

"2. For the purposes of heading 3002, the expression "modified immunological products" applies only to monoclonal antibodies (MABs), antibody fragments, antibody conjugates and antibody fragment conjugates."

30-2. Present note 2 (new note 3) is modified by deleting the expression "note 3(d)" and inserting the expression "note 4(d)" in lieu thereof.

30-3. The article description of heading 3002 is modified by deleting the expression "blood fractions;" and inserting the following expression in lieu thereof:

"blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes;"

30-4. The article description of subheading 3002.10.00 is modified by adding the expression "and modified immunological products, whether or not obtained by means of biotechnological processes".

30-5. Subheadings 3002.31.00 (and the superior text thereto) and 3002.39.00 are superseded by the following:

[Human blood; animal blood prepared for...:]				
"3002.30.00 ¹⁵⁶	Vaccines for veterinary medicine.....	Free	Free"	

¹⁵² ex 2939.60.00

¹⁵³ ex 2939.60.00; in a written submission, Sandoz Pharmaceuticals Corp. sought to restore to imports of ergotamine and its salts those duty rates that were applicable prior to the implementation of the HTS. However, the Commission believes that the appropriate duty rate applicable to these products is that enacted under HTS subheading 2939.60.00.

¹⁵⁴ ex 2939.60.00

¹⁵⁵ ex 2939.60.00

¹⁵⁶ ex 3002.31.00, 3002.39.00

30-6. The article description of heading 3006 is superseded by the following:

"Pharmaceutical goods specified in note 4 to this chapter:"

CHAPTER 31

31-1. Subparagraph (c) of note 1 to chapter 31 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

CHAPTER 32

32-1. Subheading 3201.30.00 is deleted.

32-2. Subheading 3201.90.20 is renumbered as 3201.90.25, and the article description of that subheading is superseded by the following:

"Extracts of canaigre, chestnut, curupay, divi-divi, eucalyptus, gambier, hemlock, larch, mangrove, myrobalan, oak, sumac, tara, urunday or valonia"

32-3. Subheading 3206.10.00 is superseded by the following:

[Other coloring matter; preparations....]			
"Pigments and preparations based on titanium dioxide:			
3206.11.00 ¹⁵⁷	Containing 80 percent or more by weight of titanium dioxide calculated on the dry weight.....	6%	Free (A*,CA,E IL,J) 30%
3206.19.00 ¹⁵⁸	Other.....	6%	Free (A*,CA,E IL,J) 30%"

32-4. The article description of subheading 3214.10.00 is superseded by the following:

"Glaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings"

CHAPTER 33

33-1. Subparagraph (a) of note 1 to chapter 33 is superseded by the following:

"(a) Natural oleoresins or vegetable extracts of heading 1301 or 1302;"

33-2. Present notes 2 and 3 to chapter 33 are renumbered as 3 and 4, respectively, and the following new note 2 is inserted:

¹⁵⁷ ex 3206.10.0010

¹⁵⁸ ex 3206.10.0010

"2. The expression "odoriferous substances" in heading 3302 refers only to the substances of heading 3301, to odoriferous constituents isolated from those substances or to synthetic aromatics."

33-3. The article description of heading 3301 is modified by inserting the expression "extracted oleoresins;" after the expression "resinoids;".

33-4. The article description of heading 3302 is superseded by the following:

"Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:"

33-5. Subheading 3302.10.30 is superseded by the following:

[Mixtures of odoriferous substances...:]				
[Of a kind used in the food or drink...:]				
[Containing alcohol:]				
"Containing over 20 percent				
of alcohol by weight:				
Preparations requiring				
only the addition of ethyl				
alcohol or water to produce				
a beverage suitable for				
human consumption:				
3302.10.40 ¹⁵⁹	Containing over 20			
	percent but not over			
	50 percent of alcohol			
	by weight.....	13.2€/kg + 3%	Free (A,E,IL,J)	88€/kg +
			2.6€/kg +	25%
			0.6% (CA)	
3302.10.50 ¹⁶⁰	Containing over 50			
	percent of alcohol by			
	weight.....	26.5€/kg + 3%	Free (A,E,IL,J)	\$1.76/kg +
			5.3€/kg +	25%
			0.6% (CA)	
3302.10.90 ¹⁶¹	Other.....	6.3%	Free (E,IL,J)	50%"
			1.2% (CA)	

33-6. The article description of heading 3306 is superseded by the following:

"Preparations for oral or dental hygiene, including denture fixative pastes and powders; yarn used to clean between the teeth (dental floss):"

33-7. The following new subheading 3306.20.00 is inserted in numerical order:

[Preparations for oral or dental hygiene...:]				
"3306.20.00 ¹⁶²	Yarn used to clean between the teeth			
	(dental floss).....	5.5%	Free (A*,E,IL,J)	88€/kg +
			1.1% (CA)	75%"

-
- ¹⁵⁹ ex 2208.10.60
¹⁶⁰ ex 2208.10.90
¹⁶¹ ex 3302.10.30
¹⁶² ex 3306.90.00

CHAPTER 34

34-1. Exclusion subparagraph (a) of note 5 to chapter 34 is modified by deleting the expression "heading 1516, 1519 or 3402" and inserting the expression "1516, 3402 or 3823" in lieu thereof.

CHAPTER 35

35-1. Subheadings 3502.10 through 3502.90.50 are superseded by the following:

[Albumins, including concentrates of two...]				
"Egg albumin:				
3502.11.00 ¹⁶³	Dried.....	59.5€/kg	Free (E,IL,J) 11.9€/kg (CA)	59.5€/kg
3502.19.00 ¹⁶⁴	Other.....	12.1€/kg	Free (E,IL,J) 2.4€/kg (CA)	24.3€/kg
3502.20.00 ¹⁶⁵	Milk albumin, including concentrates of two or more whey proteins.....	Free		Free
3502.90.00 ¹⁶⁶	Other.....	Free		Free"

CHAPTER 37

37-1. Note 1 to chapter 37 is modified by deleting the word "materials".

37-2. Note 2 to chapter 37 is superseded by the following:

"2. In this chapter the word "photographic" relates to the process by which visible images are formed, directly or indirectly, by the action of light or other forms of radiation on photosensitive surfaces."

37-3. The superior text immediately preceding subheading 3702.31 is modified by deleting the expression "without sprocket holes," and inserting the expression "without perforations," in lieu thereof.

37-4. The superior text immediately preceding subheading 3702.41 is modified by deleting the expression "without sprocket holes," and inserting the expression "without perforations," in lieu thereof.

¹⁶³ ex 3502.10.10
¹⁶⁴ ex 3502.10.50
¹⁶⁵ ex 3502.90.10, 3502.90.50
¹⁶⁶ ex 3502.90.50

CHAPTER 38

38-1. The following new subparagraph (d) of note 1 to chapter 38 is inserted:

"(d) Spent catalysts of a kind used for the extraction of base metals or for the manufacture of chemical compounds of base metals (heading 2620), spent catalysts of a kind used principally for the recovery of precious metal (heading 7112) or catalysts consisting of metals or metal alloys in the form of, for example, finely divided powder or woven gauze (section XIV or XV)."

38-2. Note 2 to chapter 38 is modified by deleting the expression "Heading 3823" and inserting the expression "Heading 3824" in lieu thereof.

38-3. The article description of subheading 3806.20.00 is superseded by the following:

"Salts of rosin, of resin acids or of derivatives of rosin or resin acids, other than salts of rosin adducts"

38-4.¹⁶⁷ The article description of heading 3822.00 is superseded by the following:

"Diagnostic or laboratory reagents on a backing and prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006:"

38-5. The following heading and subheadings are renumbered as follows:

<u>Present number</u>	<u>New number</u>
3823.....	3824
3823.10.00.....	3824.10.00
3823.20.00.....	3824.20.00
3823.30.00.....	3824.30.00
3823.40.....	3824.40
3823.40.10.....	3824.40.10
3823.40.20.....	3824.40.20
3823.40.50.....	3824.40.50

¹⁶⁷ According to a written submission from EM Science Division of EM Industries, Inc., Customs classifies certain indicator strips made by EM as "other" articles of paper under subheading 4823.90.85, with an MFN duty rate of 5.3% ad valorem. EM reportedly has challenged this classification in an attempt to have the products reclassified as articles of paper pulp under subheading 4823.90.10, with an MFN duty rate of Free. EM requested that the Commission include a separate duty-free provision for these products with its proposal concerning diagnostic reagents. The Commission's proposal omitted separate duty treatment for these products under the assumption that they would fall into the existing residual subheading 3822.00.50, with an MFN duty of 5% ad valorem. Until advised by Customs that it has changed its classification of these products, the Commission declines to propose a separate provision for them.

Miles, Inc., in supporting the proposed new paragraph (g) of note 2 to HTS chapter 39 to exclude from that chapter diagnostic or laboratory reagents on a backing of plastics, suggested that a similar note be proposed to exclude from chapter 48 such reagents on a backing of paper. In fact, the Commission had already proposed such a note to chapter 48 in its May 14 document. Both these exclusion notes come directly from the CCC's article 16 recommendation. Miles also suggested that the term "prepared" be defined for purposes of heading 3822. However, the concept of "preparations" has always proven elusive for the HSC, and by agreement of the contracting parties, no such definition has ever been adopted. For the same reason, the Commission does not propose to introduce such a definition. Nevertheless, the Commission understands that revised heading 3822 is intended to include (1) single, chemically-pure diagnostic or laboratory reagents, if presented on a backing (e.g., of paper or of plastics) and (2) "prepared" or mixed reagents, whether or not they are on a backing. Single chemically-defined reagents not on a backing would be classifiable generally in chapter 28 or 29, as appropriate.

3823.50.00.....	3824.50.00
3823.60.00.....	3824.60.00
3823.90.....	3824.90
3823.90.11.....	3824.90.11
3823.90.19.....	3824.90.19
3823.90.21.....	3824.90.21
3823.90.22.....	3824.90.22
3823.90.25.....	3824.90.25
3823.90.27.....	3824.90.27
3823.90.31.....	3824.90.31
3823.90.32.....	3824.90.32
3823.90.33.....	3824.90.33
3823.90.34.....	3824.90.34
3823.90.35.....	3824.90.35
3823.90.36.....	3824.90.36
3823.90.39.....	3824.90.39
3823.90.40.....	3824.90.40
3823.90.45.....	3824.90.45
3823.90.46.....	3824.90.46
3823.90.47.....	3824.90.47
3823.90.50.....	3824.90.50

38-6. The following new heading 3823 and its subheadings are inserted in numerical order:

"3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols:"			
	Industrial monocarboxylic fatty acids; acid oils from refining:			
3823.11.00 ¹⁶⁸	Stearic acid.....	3.3€/kg + 6%	Free (A*,E,IL,J) 0.6€/kg + 1.2% (CA)	6.6€/kg + 25%
3823.12.00 ¹⁶⁹	Oleic acid.....	3.3€/kg + 5%	Free (A*,E,IL,J) 0.6€/kg + 1% (CA)	6.6€/kg + 20%
3823.13.00 ¹⁷⁰	Tall oil fatty acids.....	5%	Free (CA,E,IL,J)	20%
3823.19	Other:			
3823.19.20 ¹⁷¹	Derived from coconut, palm-kernel or palm oil.....	5%	Free (A*,E,IL,J) 1% (CA)	20%
3823.19.40 ¹⁷²	Other.....	5%	Free (E,IL,J) 1% (CA)	20%

-
- ¹⁶⁸ ex 1519.11.00
¹⁶⁹ ex 1519.12.00
¹⁷⁰ ex 1519.13.0020, .0040
¹⁷¹ ex 1519.19.20
¹⁷² ex 1519.19.40, 1519.20.00

3823.20	Industrial fatty alcohols: Derived from fatty substances of animal or vegetable origin:			
3823.20.20 ¹⁷³	Oleyl alcohol.....	7.9%	Free (E,IL,J) 1.5% (CA)	39.5%
3823.20.40 ¹⁷⁴	Other.....	5%	Free (E,IL,J) 1% (CA)	25%
3823.20.60 ¹⁷⁵	Other.....	3.7%	Free (E,IL,J) 0.7% (CA)	25%"

38-7. The following new subheadings 3824.71.00 and 3824.79.00 are inserted in numerical order:

	[Prepared binders....:]			
	"Mixtures containing perhalogenated deriva- tives of acyclic hydrocarbons containing two or more different halogens:			
3824.71.00 ¹⁷⁶	Containing acyclic hydrocarbons perhalogenated only with fluorine and chlorine.....	3.7%	Free (CA,E,IL,J)	25%
3824.79.00 ¹⁷⁷	Other.....	3.7%	Free (CA,E,IL,J)	25%"

CHAPTER 39

39-1. Subparagraph (d) of note 2 to chapter 39 is superseded by the following:

"(d) Solutions (other than collodions) consisting of any of the products specified in headings 3901 to 3913 in volatile organic solvents when the weight of the solvent exceeds 50 percent of the weight of the solution (heading 3208); stamping foils of heading 3212;"

39-2. Subparagraphs (g) through (v) of note 2 to chapter 39 are redesignated as (h) through (w), respectively, and the following new subparagraph (g) is inserted:

"(g) Diagnostic or laboratory reagents on a backing of plastics (heading 3822);"

-
- ¹⁷³ ex 1519.30.20
 - ¹⁷⁴ ex 1519.30.40
 - ¹⁷⁵ ex 1519.30.60
 - ¹⁷⁶ ex 3823.90.4710
 - ¹⁷⁷ ex 3823.90.4750

39-3. Note 4 to chapter 39 is superseded by the following:

- "4. The expression "copolymers" covers all polymers in which no single monomer unit contributes 95 percent or more by weight to the total polymer content.

For the purposes of this chapter, except where the context otherwise requires, copolymers (including co-polycondensates, co-polyaddition products, block copolymers and graft copolymers) and polymer blends are to be classified in the heading covering polymers of that comonomer unit which predominates by weight over every other single comonomer unit. For the purposes of this note, constituent comonomer units of polymers falling in the same heading shall be taken together.

If no single comonomer unit predominates, copolymers or polymer blends, as the case may be, are to be classified in the heading which occurs last in numerical order among those which equally merit consideration."

39-4. Subheading note 1 to chapter 39 is superseded by the following:

- "1. Within any one heading of this chapter, polymers (including copolymers) and chemically modified polymers are to be classified according to the following provisions:

(a) Where there is a subheading named "Other" in the same series:

- (1) The designation in a subheading of a polymer by the prefix "poly" (e.g., polyethylene and polyamide-6,6) means that the constituent monomer unit or monomer units of the named polymer taken together must contribute 95 percent or more by weight of the total polymer content.
- (2) The copolymers named in subheadings 3901.30, 3903.20, 3903.30 and 3904.30 are to be classified in those subheadings, provided that the comonomer units of the named copolymers contribute 95 percent or more by weight of the total polymer content.
- (3) Chemically modified polymers are to be classified in the subheading named "Other", provided that the chemically modified polymers are not more specifically covered by another subheading.
- (4) Polymers not meeting (1), (2) or (3), above, are to be classified in the subheading, among the remaining subheadings in the series, covering polymers of that monomer unit which predominates by weight over every other single comonomer unit. For this purpose, constituent monomer units of polymers falling in the same subheading

shall be taken together. Only the constituent comonomer units of the polymers in the series of subheadings under consideration are to be compared.

(b) Where there is no subheading named "Other" in the same series:

- (1) Polymers are to be classified in the subheading covering polymers of that monomer unit which predominates by weight over every other single comonomer unit. For this purpose, constituent monomer units of polymers falling in the same subheading shall be taken together. Only the constituent comonomer units of the polymers in the series under consideration are to be compared.
- (2) Chemically modified polymers are to be classified in the subheading appropriate to the unmodified polymer.

Polymer blends are to be classified in the same subheading as polymers of the same monomer units in the same proportions."

39-5. Subheading 3901.90.50 is superseded by the following:

[Polymers of ethylene, in primary forms:]				
[Other:]				
"Other:				
3901.90.55 ¹⁷⁸	Ethylene copolymers.....	12.5%	Free (A,CA,E, IL,J)	43%
3901.90.90 ¹⁷⁹	Other.....	2.2¢/kg + 7.7%	Free (A,CA,E, IL,J)	2.2¢/kg + 33.5%"

39-6. Subheadings 3905.11.00 through 3905.90.50 are superseded by the following:

[Polymers of vinyl acetate or of other vinyl...:]				
"Polyvinyl acetate:				
3905.12.00 ¹⁸⁰	In aqueous dispersion.....	4%	Free (A,CA,E, IL,J)	37.5%
3905.19.00 ¹⁸¹	Other.....	4%	Free (A,CA,E, IL,J)	37.5%
Vinyl acetate copolymers:				
3905.21.00 ¹⁸²	In aqueous dispersion.....	4%	Free (A,CA,E, IL,J)	37.5%
3905.29.00 ¹⁸³	Other.....	4%	Free (A,CA,E, IL,J)	37.5%
3905.30.00 ¹⁸⁴	Polyvinyl alcohol, whether or not containing unhydrolyzed acetate groups.....	3.2%	Free (A,CA,E, IL,J)	37.5%
Other:				
3905.91	Copolymers:			

-
- ¹⁷⁸ ex 3901.10.00, 3901.20.00
 - ¹⁷⁹ ex 3901.90.50
 - ¹⁸⁰ ex 3905.11.00
 - ¹⁸¹ no change
 - ¹⁸² ex 3905.11.00
 - ¹⁸³ ex 3905.19.00
 - ¹⁸⁴ ex 3905.20.00

3905.91.10 ¹⁸⁵	Containing by weight 50 percent or more of derivatives of vinyl acetate.....	4%	Free (A,CA,E,IL,J)	37.5%
3905.91.50 ¹⁸⁶	Other.....	5.3%	Free (A,CA,E,IL,J)	43.5%
3905.99.00 ¹⁸⁷	Other.....	5.3%	Free (A,CA,E,IL,J)	43.5%"

39-7. Subheadings 3906.90 through 3906.90.50 are superseded by the following:

[Acrylic polymers in primary forms:]				
"Other:				
3906.91	Copolymers:			
3906.91.10 ¹⁸⁸	Elastomeric.....	Free		20%
Other:				
3906.91.20 ¹⁸⁹	Plastics.....	6.3%	Free (A,CA,E,IL,J)	37%
3906.91.30 ¹⁹⁰	Other.....	4.2%	Free (A,CA,E,IL,J)	25%
Other:				
3906.99	Elastomeric.....	Free		20%
3906.99.10 ¹⁹¹	Other:			
3906.99.20 ¹⁹²	Plastics.....	6.3%	Free (A,CA,E,IL,J)	37%
3906.99.30 ¹⁹³	Other.....	4.2%	Free (A,CA,E,IL,J)	25%"

CHAPTER 40

40-1. Subheadings 4010.10 through 4010.99.50 are superseded by the following:

[Conveyor or transmission belts...:]				
"Conveyor belts or belting:				
4010.11.00 ¹⁹⁴	Reinforced only with metal.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
4010.12	Reinforced only with textile materials: With textile components in which vegetable fibers predominate by weight over any other single textile fiber:			
4010.12.10 ¹⁹⁵	Of trapezoidal cross section (V-belts and V-belting).....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.12.15 ¹⁹⁶	Other.....	5.1%	Free (A,E,IL,J) 1% (CA)	30%

-
- 185 ex 3905.90.10
 - 186 ex 3905.90.50
 - 187 ex 3905.90.50
 - 188 ex 3906.90.10
 - 189 ex 3906.90.20
 - 190 ex 3906.90.50
 - 191 ex 3906.90.10
 - 192 ex 3906.90.20
 - 193 ex 3906.90.50
 - 194 ex 4010.10.5090, 4010.91.5090, 4010.99.5090
 - 195 ex 4010.10.1010
 - 196 ex 4010.91.11, 4010.99.11

	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.12.20 ¹⁹⁷	Of trapezoidal cross section (V-belts and V-belting).....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.12.30 ¹⁹⁸	Other.....	8%	Free (A,E,IL,J) 1.6% (CA)	74%
	Other:			
4010.12.40 ¹⁹⁹	Of trapezoidal cross section (V-belts and V-belting).....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.12.90 ²⁰⁰	Other.....	2.4%	Free (E,IL,J) 0.4% (CA)	25%
4010.13.00 ²⁰¹	Reinforced only with plastics.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
4010.19	Other:			
	Combined with textile materials:			
	With textile components in which vegetable fibers predominate by weight over any other single textile fiber:			
4010.19.10 ²⁰²	Of trapezoidal cross section (V-belts and V-belting).....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.19.15 ²⁰³	Other.....	5.1%	Free (A,E,IL,J) 1% (CA)	30%
	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.19.20 ²⁰⁴	Of trapezoidal cross section (V-belts and V-belting).....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.19.30 ²⁰⁵	Other.....	8%	Free (A,E,IL,J) 1.6% (CA)	74%
	Other:			
4010.19.40 ²⁰⁶	Of trapezoidal cross section (V-belts and V-belting).....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.19.90 ²⁰⁷	Other.....	2.4%	Free (E,IL,J) 0.4% (CA)	25%
4010.19.90 ²⁰⁸	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%

-
- ¹⁹⁷ ex 4010.10.1090
¹⁹⁸ ex 4010.91.1590, 4010.99.1590
¹⁹⁹ ex 4010.10.1090
²⁰⁰ ex 4010.91.19, 4010.99.19
²⁰¹ ex 4010.10.10.50, 4010.91.50, 4010.99.50
²⁰² ex 4010.10.1010
²⁰³ ex 4010.91.11, 4010.99.11
²⁰⁴ ex 4010.10.1090
²⁰⁵ ex 4010.91.1590, 4010.99.1590
²⁰⁶ ex 4010.10.1090
²⁰⁷ ex 4010.91.19, 4010.99.19
²⁰⁸ ex 4010.10.1050, 4010.91.5090, 4010.99.5090

Transmission belts or belting:				
4010.21	Endless transmission belts of trapezoidal cross section (V-belts), whether or not grooved, of a circumference exceeding 60 cm but not exceeding 180 cm:			
4010.21.30 ²⁰⁹	Combined with textile materials.....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.21.60 ²¹⁰	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
4010.22	Endless transmission belts of trapezoidal cross section (V-belts), whether or not grooved, of a circumference exceeding 180 cm but not exceeding 240 cm:			
4010.22.30 ²¹¹	Combined with textile materials.....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.22.60 ²¹²	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
4010.23	Endless synchronous belts of a circumference exceeding 60 cm but not exceeding 150 cm:			
4010.23.30 ²¹³	Combined with textile materials:			
	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	5.1%	Free (A,E,IL,J) 1% (CA)	30%
4010.23.40 ²¹⁴	With textile components in which man-made fibers predominate by weight over any other single textile fiber.....			
		8%	Free (A,E,IL,J) 1.6% (CA)	74%
4010.23.50 ²¹⁵	Other.....	2.4%	Free (E,IL,J) 0.4% (CA)	25%
4010.23.90 ²¹⁶	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
4010.24	Endless synchronous belts of a circumference exceeding 150 cm but not exceeding 198 cm:			
4010.24.30 ²¹⁷	Combined with textile materials:			
	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	5.1%	Free (A,E,IL,J) 1% (CA)	30%

-
- ²⁰⁹ ex 4010.10.1010, .1020, .1030, .1040
²¹⁰ ex 4010.10.5010
²¹¹ ex 4010.10.1010, .1020, .1030, .1040
²¹² ex 4010.10.5010
²¹³ ex 4010.91.11, 4010.99.11
²¹⁴ ex 4010.91.1510, 4010.99.1510
²¹⁵ ex 4010.91.19, 4010.99.19
²¹⁶ ex 4010.91.5010, 4010.99.50.10
²¹⁷ ex 4010.91.11, 4010.99.11

4010.24.40 ²¹⁸	With textile components in which man-made fibers predominate by weight over any other single textile fiber.....	8%	Free (A,E,IL,J) 1.6% (CA)	74%
4010.24.50 ²¹⁹	Other.....	2.4%	Free (E,IL,J) 0.4% (CA)	25%
4010.24.90 ²²⁰	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
4010.29	Other: Of trapezoidal cross section (V-belts and V-belting):			
4010.29.10 ²²¹	Combined with textile materials.....	5.1%	Free (B,E,IL,J) 1% (CA)	30%
4010.29.20 ²²²	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%
	Other: Combined with textile materials:			
4010.29.30 ²²³	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	5.1%	Free (A,E,IL,J) 1% (CA)	30%
4010.29.40 ²²⁴	With textile components in which man-made fibers predominate by weight over any other single textile fiber.....	8%	Free (A,E,IL,J) 1.6% (CA)	74%
4010.29.50 ²²⁵	Other.....	2.4%	Free (E,IL,J) 0.4% (CA)	25%
4010.29.90 ²²⁶	Other.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	25%

CHAPTER 41

41-1. The article description of subheading 4104.31 is modified by deleting the expression "grain splits:" and inserting the expression "full grain splits:" in lieu thereof.

-
- ²¹⁸ ex 4010.91.1510, 4010.99.1510
 - ²¹⁹ ex 4010.91.19, 4010.99.19
 - ²²⁰ ex 4010.91.5010, 4010.99.5010
 - ²²¹ ex 4010.10.1010-.1040
 - ²²² ex 4010.10.5010
 - ²²³ ex 4010.91.11, 4010.99.11
 - ²²⁴ ex 4010.91.1510-.1530, 4010.99.1510-.1530
 - ²²⁵ ex 4010.91.19, 4010.99.19
 - ²²⁶ ex 4010.91.5010-5030, 4010.99.5010-.5030

CHAPTER 42

42-1. Note 2 to chapter 42 is deleted and the following inserted in lieu thereof:

- "2. (A) In addition to the provisions of note 1, above, heading 4202 does not cover:
- (a) Bags made of sheeting of plastics, whether or not printed, with handles, not designed for prolonged use (heading 3923);
 - (b) Articles of plaiting materials (heading 4602).
- (B) Articles of headings 4202 and 4203 which have parts of precious metal or metal clad with precious metal, of natural or cultured pearls, of precious or semiprecious stones (natural, synthetic or reconstructed) remain classified in those headings even if such parts constitute more than minor fittings or minor ornamentation, provided that these parts do not give the articles their essential character. If, on the other hand, the parts give the articles their essential character, the articles are to be classified in chapter 71."

CHAPTER 43

43-1. Note 1 to chapter 43 is modified by inserting the expression "or wool" after the expression "hair".

43-2. Subparagraph (b) of note 2 to chapter 43 is modified by inserting the expression "or wool" after the expression "hair".

CHAPTER 44

44-1. Subparagraph (b) of note 1 to chapter 44 is superseded by the following:

- "(b) Bamboos or other materials of a woody nature of a kind used primarily for plaiting, in the rough, whether or not split, sawn lengthwise or cut to length (heading 1401);"

44-2. Note 6 to chapter 44 is superseded by the following:

- "6. Subject to note 1 above and except where the context otherwise requires, any reference to "wood" in a heading of this chapter applies also to bamboos and other materials of a woody nature."

44-3.²²⁷ The following new subheading note 1 to chapter 44 is inserted after note 6 to chapter 44:

"Subheading Note

1. For the purposes of subheadings 4403.41 to 4403.49, 4407.23 to 4407.29, 4408.31 to 4408.39 and 4412.11 to 4412.99, the expression "tropical wood" means one of the following types of wood:

Abura, Acajou d'Afrique, Afrormosia, Ako, Alan, Andiroba, Aningré, Avodiré, Azobé, Balau, Balsa, Bossé clair, Bossé foncé, Cativo, Cedro, Dabema, Dark Red Meranti, Dibétou, Doussié, Framiré, Freijo, Fromager, Fuma, Geronggang, Ilomba, Imbuia, Ipé, Iroko, Jaboty, Jelutong, Jequitiba, Jongkong, Kapur, Kempas, Keruing, Kosipo, Kotibé, Koto, Light Red Meranti, Limba, Louro, Maçaranduba, Mahogany, Makoré, Mansonia, Mengkulang, Meranti Bakau, Merawan, Merbau, Merpauh, Mersawa, Moabi, Niangon, Nyatoh, Obeche, Okoumé, Onzabili, Orey, Ovengkol, Ozigo, Padauk, Paldao, Palissandre de Guatemala, Palissandre de Para, Palissandre de Rose, Pau Marfim, Pulai, Punah, Ramin, Sapelli, Saqui-Saqui, Sepetir, Sipo, Sucupira, Suren, Teak, Tiama, Tola, Virola, White Lauan, White Meranti, White Seraya, Yellow Meranti."

44-4. Subheadings 4403.31.00 (and the superior text thereto) through 4403.35.00 are superseded by the following:

[Wood in the rough, whether or not stripped...:]			
"Other, of tropical wood specified in			
subheading note 1 to this chapter:			
4403.41.00 ²²⁸	Dark Red Meranti, Light Red Meranti and Meranti Bakau.....	Free	Free
4403.49.00 ²²⁹	Other.....	Free	Free"

²²⁷ In a written submission, Russell Stadelman, Inc. sought a note to the HTS to clarify that the term "virola" in new subheading note 1 to chapter 44 includes woods called "white virola". However, the scope of the term "virola", as used in new subheading note 1, appears to have differing meanings, depending upon the reference consulted. The Commission is reluctant to propose a note which may be inconsistent with the HS Convention and believes this question should be pursued at the CCC.

²²⁸ ex 4403.31.00

²²⁹ ex 4403.32.00, 4403.33.00, 4403.34.00, 4403.35.00, 4403.99.0091

44-5. Subheadings 4407.21.00 (and the superior text thereto), 4407.22.00 and 4407.23.00 are superseded by the following:

[Wood sawn or shipped lengthwise,...:]			
"Of tropical wood specified in subheading note 1 to this chapter:			
4407.24.00 ²³⁰	Virola, Mahogany (<i>Swietenia</i> spp.), Imbuia and Balsa.....	Free	\$1.27/m ³
4407.25.00 ²³¹	Dark Red Meranti, Light Red Meranti and Meranti Bakau.....	Free	\$1.27/m ³
4407.26.00 ²³²	White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan.....	Free	\$1.27/m ³
4407.29.00 ²³³	Other.....	Free	\$1.27/m ³ "

44-6. Subheading 4408.20.00 is superseded by the following:

[Veneer sheets and sheets for plywood....:]			
"Of tropical wood specified in subheading note 1 to this chapter:			
4408.31.00 ²³⁴	Dark Red Meranti, Light Red Meranti and Meranti Bakau.....	Free	20%
4408.39.00 ²³⁵	Other.....	Free	20%"

44-7. Subheading 4410.10.00 is superseded by the following:

[Particle board and similar board of wood....:]			
"Of wood:			
"4410.11.00 ²³⁶	Waferboard, including oriented strand board.....	4%	Free (A,CA,E,IL,J) 40%
4410.19.00 ²³⁷	Other.....	4%	Free (A,CA,E,IL,J) 40%"

-
- 230 ex 4407.23.00
 - 231 ex 4407.21.00
 - 232 ex 4407.21.00
 - 233 ex 4407.21.00, 4407.22.00, 4407.99.00
 - 234 ex 4408.20.00, 4408.90.00
 - 235 ex 4408.20.00, 4408.90.00
 - 236 ex 4410.10.00
 - 237 ex 4410.10.00

44-8. Subheadings 4412.11 through 4412.99.90 are superseded by the following:

[Plywood, veneered panels and similar laminated...:]				
[Plywood consisting solely of sheets of...:]				
"4412.11	With at least one outer ply of tropical wood specified in subheading note 1 to this chapter:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.11.05 ²³⁸	With a face ply of birch (<u>Betula</u> spp.).....	3%	Free (A,CA,E, IL,J)	50%
4412.11.25 ²³⁹	With a face ply of Spanish cedar (<u>Cedrela</u> spp.) or walnut (<u>Juglans</u> spp.).....	8%	Free (A,CA,E, IL,J)	40%
4412.11.30 ²⁴⁰	Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.11.55 ²⁴¹	Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.12	Other, with at least one outer ply of nonconiferous wood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.12.05 ²⁴²	With a face ply of birch (<u>Betula</u> spp.).....	3%	Free (A,CA,E, IL,J)	50%
4412.12.25 ²⁴³	With a face ply of Spanish cedar (<u>Cedrela</u> spp.) or walnut (<u>Juglans</u> spp.).....	8%	Free (A,CA,E, IL,J)	40%
4412.12.30 ²⁴⁴	Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.12.55 ²⁴⁵	Other.....	8%	Free (A*,CA,E, IL,J)	40%

²³⁸ ex 4412.11.10, 4412.12.10
²³⁹ ex 4412.11.20, 4412.12.15; part of the products included in this heading are ineligible for GSP treatment.
²⁴⁰ ex 4412.11.20, 4412.12.20; part of the products in this subheading are ineligible for GSP treatment.
²⁴¹ ex 4412.11.50, 4412.12.50
²⁴² ex 4412.12.10
²⁴³ ex 4412.12.15
²⁴⁴ ex 4412.12.20
²⁴⁵ ex 4412.12.50

4412.19	Other, with both outer plies of coniferous wood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.19.10 ²⁴⁶	With a face ply of Parana pine (<u>Araucaria angustifolia</u>).....	5%	Free (A,E,IL,J) 1% (CA)	40%
4412.19.30 ²⁴⁷	With a face ply of European red pine (<u>Pinus silvestris</u>)....	5.3%	Free (A,E,IL,J) 1% (CA)	40%
4412.19.40 ²⁴⁸	Other.....	20%	Free (A,E,IL,J) 4% (CA)	40%
4412.19.50 ²⁴⁹	Other.....	8%	Free (E,IL,J) 1.6% (CA)	40%
	Other, with at least one outer ply of nonconiferous wood:			
4412.22	With at least one ply of tropical wood specified in subheading note 1 to this chapter:			
4412.22.05 ²⁵⁰	Containing at least one layer of particle board.....	4%	Free (A,CA,E, IL,J)	40%
	Plywood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.22.10 ²⁵¹	With a face ply of birch (<u>Betula</u> spp.).....	3%	Free (A,CA,E, IL,J)	50%
4412.22.30 ²⁵²	Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.22.40 ²⁵³	Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.22.50 ²⁵⁴	Other.....	4%	Free (A,CA,E, IL,J)	40%
4412.23.00 ²⁵⁵	Other, containing at least one layer of particle board.....	4%	Free (A,CA,E, IL,J)	40%

²⁴⁶ no change
²⁴⁷ no change
²⁴⁸ no change
²⁴⁹ no change
²⁵⁰ ex 4412.21.00
²⁵¹ ex 4412.29.10
²⁵² ex 4412.29.30
²⁵³ ex 4412.29.40
²⁵⁴ ex 4412.29.50
²⁵⁵ ex 4412.21.00

4412.29	Other:				
	Plywood:				
		Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.29.15 ²⁵⁶		With a face ply of birch (<u>Betula</u> spp.).....	3%	Free (A,CA,E, IL,J)	50%
4412.29.35 ²⁵⁷		Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.29.45 ²⁵⁸		Other.....	8%	Free (A*,CA,E, IL,J)	40%
4412.29.55 ²⁵⁹		Other.....	4%	Free (A,CA,E, IL,J)	40%
	Other:				
4412.92		With at least one ply of tropical wood specified in subheading note 1 to this chapter:			
4412.92.05 ²⁶⁰		Containing at least one layer of particle board.....	4%	Free (A,CA,E, IL,J)	40%
	Plywood:				
		Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.92.10 ²⁶¹		With a face ply of Parana pine (<u>Araucaria</u> <u>angustifolia</u>).....	5%	Free (A,E,IL,J) 1% (CA)	40%
4412.92.30 ²⁶²		With a face ply of European red pine (<u>Pinus</u> <u>silvestris</u>).....	5.3%	Free (A,E,IL,J) 1% (CA)	40%
4412.92.40 ²⁶³		Other.....	20%	Free (A,E,IL,J) 4% (CA)	40%
4412.92.50 ²⁶⁴		Other.....	8%	Free (E,IL,J) 1.6% (CA)	40%
4412.92.90 ²⁶⁵		Other.....	4%	Free (A,E,IL,J) 0.8% (CA)	40%
4412.93.00 ²⁶⁶		Other, containing at least one layer of particle board.....	4%	Free (A,CA,E, IL,J)	40%

²⁵⁶ ex 4412.29.10
²⁵⁷ ex 4412.29.30
²⁵⁸ ex 4412.29.40
²⁵⁹ ex 4412.29.50
²⁶⁰ ex 4412.91.00
²⁶¹ ex 4412.99.10
²⁶² ex 4412.99.30
²⁶³ ex 4412.99.40
²⁶⁴ ex 4412.99.50
²⁶⁵ ex 4412.99.90
²⁶⁶ ex 4412.91.00

4412.99	Other:			
	Plywood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.99.15 ²⁶⁷	With a face ply of Parana pine (<u>Araucaria</u> <u>angustifolia</u>).....	5%	Free (A,E,IL,J) 1% (CA)	40%
4412.99.35 ²⁶⁸	With a face ply of European red pine (<u>Pinus</u> <u>silvestris</u>).....	5.3%	Free (A,E,IL,J) 1% (CA)	40%
4412.99.45 ²⁶⁹	Other.....	20%	Free (A,E,IL,J) 4% (CA)	40%
4412.99.55 ²⁷⁰	Other.....	8%	Free (E,IL,J) 1.6% (CA)	40%
4412.99.95 ²⁷¹	Other.....	4%	Free (A,E,IL,J) 0.8% (CA)	40%

44-9. The article description of heading 4415 is modified by deleting the expression "load boards, of wood:" and inserting the expression "load boards, of wood; pallet collars of wood:" in lieu thereof.

44-10. The article description of subheading 4415.20 is modified by deleting the expression "load boards:" and inserting the expression "load boards; pallet collars:" in lieu thereof.

CHAPTER 46

46-1. Note 1 to chapter 46 is modified by deleting the expression "strips of other vegetable material (for example, raffia, narrow leaves or strips cut from broad leaves) or bark," and inserting the expression "strips of other vegetable material (for example, strips of bark, narrow leaves and raffia or other strips obtained from broad leaves)," in lieu thereof.

SECTION X

X-1. The title of section X is modified by deleting the expression "WASTE AND SCRAP OF PAPER OR PAPERBOARD" and inserting the expression "RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD" in lieu thereof.

CHAPTER 47

47-1. The title of chapter 47 is modified by deleting the expression "WASTE AND SCRAP OF PAPER OR PAPERBOARD" and inserting the expression "RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD" in lieu thereof.

²⁶⁷	ex 4412.99.10
²⁶⁸	ex 4412.99.30
²⁶⁹	ex 4412.99.40
²⁷⁰	ex 4412.99.50
²⁷¹	ex 4412.99.90

47-2. The article description of heading 4706 is superseded by the following:

"Pulps of fibers derived from recovered (waste and scrap) paper or paperboard or of other fibrous cellulosic material:"

47-3. The following new subheading is inserted in numerical order:

	[Pulps of recovered paper or paperboard....]		
"4706.20.00 ²⁷²	Pulps of fibers derived from recovered		
	(waste and scrap) paper or paperboard.....	Free	Free"

47-4. The article description of heading 4707 is superseded by the following:

"Recovered (waste and scrap) paper and paperboard:"

CHAPTER 48

48-1. Present subparagraphs (f) through (o) of note 1 to chapter 48 are redesignated as (g) through (p), respectively, and the following new subparagraph (f) is inserted in alphabetical order;

"(f) Paper impregnated with diagnostic or laboratory reagents (heading 3822);"

48-2. Note 2 to chapter 48 is modified by deleting the expression ", for example, by coating or impregnation".

48-3. Note 3 to chapter 48 is superseded by the following:

"3. In this chapter, the expression "newsprint" means uncoated paper of a kind used for the printing of newspapers, of which not less than 65 percent by weight of the total fiber content consists of wood fibers obtained by a mechanical or chemi-mechanical process, unsized or very lightly sized, having a surface roughness Parker Print Surf (1 MPa) on each side exceeding 2.5 micrometers (microns), weighing not less than 40 g/m² and not more than 65 g/m²."

48-4. Note 4 to chapter 48 is modified by deleting the "*" in subparagraphs (c), (d) and (e) of the second paragraph and in subparagraphs (b) and (c) of the third paragraph; the footnote designated by the "*" is also deleted.

48-5. Subparagraphs (d) and (e) of note 4 to chapter 48 are modified by deleting the expression "2.5 kPa/g/m²" and inserting the expression "2.5 kPa•m²/g" in lieu thereof.

²⁷² ex 4706.91.00, 4706.92.00, 4706.93.00

48-6. Note 6 to chapter 48 is superseded by the following:

- "6. Except where the terms of the headings otherwise require, paper, paperboard, cellulose wadding and webs of cellulose fibers answering to a description in two or more of the headings 4801 to 4811 are to be classified under that one of such headings which occurs last in numerical order in the nomenclature."

48-7.²⁷³ Note 7 to chapter 48 is superseded by the following:

- "7. (A) Headings 4801, 4802, 4804 to 4808, 4810 and 4811 apply only to paper, paperboard, cellulose wadding and webs of cellulose fibers:

- (a) In strips or rolls of a width exceeding 15 cm; or
- (b) In rectangular (including square) sheets with one side exceeding 36 cm and the other side exceeding 15 cm in the unfolded state.

Except that hand-made paper and paperboard in any size or shape as made directly and having all its edges deckled remains classified, subject to the provisions of note 6, in heading 4802.

- (B) Headings 4803 and 4809 apply only to paper, cellulose wadding and webs of cellulose fibers:

- (a) In strips or rolls of a width exceeding 36 cm; or
- (b) In rectangular (including square) sheets with one side exceeding 36 cm and the other side exceeding 15 cm in the unfolded state."

48-8. Subparagraph (a) of subheading note 2 to chapter 48 is modified by deleting the expression "38" and inserting the expression " $3.7 \text{ kPa} \cdot \text{m}^2/\text{g}$ " in lieu thereof.

48-9. Subheading note 3 to chapter 48 is modified by deleting the expression "20 kgf" and inserting the expression "196 newtons" in lieu thereof.

48-10. Subheading note 4 to chapter 48 is modified by deleting the expression "15" and inserting the expression " $1.47 \text{ kPa} \cdot \text{m}^2/\text{g}$ " in lieu thereof.

²⁷³ Customs' submission pointed out that this inadvertently omitted reference to heading 4810. The proposal has been corrected here.

48-11.²⁷⁴ The article description of heading 4803.00.00 is superseded by the following:

"Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibers, whether or not creped, crinkled, embossed, perforated, surface-colored, surface decorated or printed, in rolls or sheets."

48-12. The article description of heading 4805 is superseded by the following:

"Other uncoated paper and paperboard, in rolls or sheets, not further worked or processed than as specified in note 2 to this chapter:"

48-13. Subheadings 4807.91.00 (and the superior text thereto) and 4807.99 through 4807.99.40 are superseded by the following:

[Composite paper and paperboard (made by...)]				
"4807.90	Other:			
4807.90.10 ²⁷⁵	Straw paper and paperboard, whether or not covered with paper other than straw paper.....	2.8%	Free (A,CA,E, IL,J)	30%
	Other:			
4807.90.20 ²⁷⁶	Cloth-lined or reinforced paper.....	2.4%	Free (A,CA,E, IL,J)	22.5%
4807.90.40 ²⁷⁷	Other.....	Free		30%"

48-14. The article description of heading 4808 is superseded by the following:

"Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than paper of the kind described in heading 4803:"

48-15. The article description of heading 4809 is superseded by the following:

"Carbon paper, self-copy paper and other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets:"

48-16. The article description of heading 4811 is superseded by the following:

"Paper, paperboard, cellulose wadding and webs of cellulose fibers, coated, impregnated, covered, surface-colored, surface-decorated or printed, in rolls or sheets, other than goods of the kind described in heading 4803, 4809 or 4810:"

²⁷⁴ This proposal was inadvertently omitted from the Commission's May 14 document.

²⁷⁵ ex 4807.91.00

²⁷⁶ ex 4807.99.20

²⁷⁷ ex 4807.99.40

48-17. The article description of heading 4818 is superseded by the following:

"Toilet paper and similar paper, cellulose wadding or webs of cellulose fibers, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchiefs, cleansing tissues, towels, tablecloths, table napkins, diapers, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibers:"

48-18. Subheading 4823.30.00 is deleted.

48-19. The following new subheading 4823.90.30 is inserted in numerical order:

	[Other paper, paperboard, cellulose wadding...:]			
	[Other:]			
	[Other:]			
"4823.90.30 ²⁷⁸	Cards, not punched, for punchcard machines, whether or not in strips.....	3.9%	Free (A,CA,E, IL,J)	30X"

SECTION XI

XI-1. Subparagraph (e) of note 1 to section XI is superseded by the following:

"(e) Articles of heading 3005 or 3006 (for example, wadding, gauze, bandages and similar articles for medical, surgical, dental or veterinary purposes, sterile surgical suture materials); yarn used to clean between the teeth, in individual retail packages (dental floss), of heading 3306;"

XI-2. Subparagraph (s) of note 1 to section XI is modified by deleting the word "or".

XI-3. Subparagraph (t) of note 1 to section XI is modified by deleting the period (".") at the end and inserting a semicolon (";") in lieu thereof.

XI-4. The following new subparagraphs (u) and (v) of note 1 to section XI are inserted in alphabetical order:

"(u) Articles of chapter 96 (for example, brushes, travel sets for sewing, slide fasteners and typewriter ribbons); or"

(v) Articles of chapter 97."

XI-5. Subparagraph (b) of note 5 to section XI is superseded by the following:

"(b) Dressed for use as sewing thread; and"

²⁷⁸ ex 4823.30.00

XI-6. Subparagraph (f) of note 7 to section XI is superseded by the following:

"(f) Knitted or crocheted to shape, whether presented as separate items or in the form of a number of items in the length."

XI-7. Note 8 to section XI is superseded by the following:

"8. For the purposes of chapters 50 to 60:

- (a) Chapters 50 to 55 and 60 and, except where the context otherwise requires, chapters 56 to 59 do not apply to goods made up within the meaning of note 7 above; and
- (b) Chapters 50 to 55 and 60 do not apply to goods of chapters 56 to 59."

XI-8. Note 13 to section XI is modified by inserting the following new final sentence:

"For the purposes of this note, the expression "textile garments" means garments of headings 6101 to 6114 and headings 6201 to 6211."

XI-9. Subparagraph (B)(c) of subheading note 2 to section XI is superseded by the following:

"(c) in the case of embroidery of heading 5810 and goods thereof, only the ground fabric shall be taken into account. However, embroidery without visible ground, and goods thereof, shall be classified with reference to the embroidering threads alone."

CHAPTER 52

52-1. Note 1 to chapter 52 is redesignated as a subheading note 1, and the text of that new subheading note is superseded by the following:

"Subheading Note

1. For the purposes of subheadings 5209.42, and 5211.42, the expression "denim" means fabrics of yarns of different colors, of 3-thread or 4-thread twill, including broken twill, warp faced, the warp yarns of which are of one and the same color and the weft yarns of which are unbleached, bleached, dyed grey or colored a lighter shade of the color of the warp yarns."

52-2. Subheading 5205.25 is superseded by the following:

[Cotton yarn (other than sewing thread)...:]			
[Single yarn, of combed fibers:]			
"5205.26.00 ²⁷⁹	Exceeding 80 nm but not exceeding 94 nm.....	12%	Free (IL) 2.4% (CA)
5205.27.00 ²⁸⁰	Exceeding 94 nm but not exceeding 120 nm.....	12%	Free (IL) 2.4% (CA)
5205.28.00 ²⁸¹	Exceeding 120 nm.....	12%	Free (IL) 2.4% (CA)
			34.1%
			34.1%
			34.1%"

52-3. Subheading 5205.45 is superseded by the following:

[Cotton yarn (other than sewing thread)...:]			
[Multiple (folded) or cabled yarn, of combed fibers:]			
"5205.46.00 ²⁸²	Exceeding 80 nm but not exceeding 94 nm per single yarn.....	12%	Free (IL) 2.4% (CA)
5205.47.00 ²⁸³	Exceeding 94 nm but not exceeding 120 nm per single yarn.....	12%	Free (IL) 2.4% (CA)
5205.48.00 ²⁸⁴	Exceeding 120 nm per single yarn.....	12%	Free (IL) 2.4% (CA)
			34.1%
			34.1%
			34.1%"

CHAPTER 54

54-1. Subheadings 5407.60 and 5407.60.05 through 5407.60.20 are superseded by the following:

[Woven fabrics of synthetic filament yarn...:]			
"Other woven fabrics, containing 85 percent or more by weight of polyester filaments:			
5407.61	Containing 85 percent or more by weight of non-textured polyester filaments:		
5407.61.05 ²⁸⁵	Dyed, measuring less than 77 cm in width or less than 77 cm between selvages, the thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling.....	24.3¢/kg + 22.5%	Free (IL) 4.8¢/kg + 4.5% (CA)
			24.3¢/kg + 81%

279	ex	5205.25.00
280	ex	5205.25.00
281	ex	5205.25.00
282	ex	5205.45.00
283	ex	5205.45.00
284	ex	5205.45.00
285	ex	5407.60.05

5407.61.10 ²⁸⁶	Of yarns of different colors, the thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling.....	24.3€/kg + 22.5%	Free (IL) 4.8€/kg + 4.5% (CA)	24.3€/kg + 81%
5407.61.20 ²⁸⁷	Other.....	17%	Free (IL) 3.4% (CA)	81%
5407.69	Other:			
5407.69.10 ²⁸⁸	Unbleached or bleached.....	17%	Free (IL) 3.4% (CA)	81%
5407.69.20 ²⁸⁹	Dyed.....	17%	Free (IL) 3.4% (CA)	81%
5407.69.30 ²⁹⁰	Of yarns of different colors: The thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling.....	24.3€/kg + 22.5%	Free (IL) 4.8€/kg + 4.5% (CA)	24.3€/kg + 81%
5407.69.40 ²⁹¹	Other.....	17%	Free (IL) 3.4% (CA)	81%
5407.69.90 ²⁹²	Printed.....	17%	Free (IL) 3.4% (CA)	81%"

CHAPTER 56²⁹³

-
- ²⁸⁶ ex 5407.60.10
 - ²⁸⁷ ex 5407.60.20
 - ²⁸⁸ ex 5407.71.00
 - ²⁸⁹ ex 5407.72.00
 - ²⁹⁰ ex 5407.73.10
 - ²⁹¹ ex 5407.73.20
 - ²⁹² ex 5407.74.00

²⁹³ The proposal in braces ("()") and numbered as 56-1 in the May 14 document was not approved by the HSC and was therefore deleted.

56-1.²⁹⁴ Heading 5603.00 and subheadings 5603.00.10 through 5603.00.90 are superseded by the following:

"5603	Nonwovens, whether or not impregnated, coated, covered or laminated:			
	Of man-made filament:			
5603.11.00 ²⁹⁵	Weighing not more than 25 g/m ²	12.5%	Free (B,IL) 2.5% (CA)	74%
5603.12.00 ²⁹⁶	Weighing more than 25 g/m ² but not more than 70 g/m ²	12.5%	Free (B,IL) 2.5% (CA)	74%
5603.13.00 ²⁹⁷	Weighing more than 70 g/m ² but not more than 150 g/m ²	12.5%	Free (B,IL) 2.5% (CA)	74%
5603.14	Weighing more than 150 g/m ² :			
5603.14.30 ²⁹⁸	Laminated fabrics.....	16%	Free (IL) 3.2% (CA)	83.5%
5603.14.90 ²⁹⁹	Other.....	12.5%	Free (B,IL) 2.5% (CA)	74%
	Other:			
5603.91.00 ³⁰⁰	Weighing not more than 25 g/m ²	12.5%	Free (B,IL) 2.5% (CA)	74%
5603.92.00 ³⁰¹	Weighing more than 25 g/m ² but not more than 70 g/m ²	12.5%	Free (B,IL) 2.5% (CA)	74%
5603.93.00 ³⁰²	Weighing more than 70 g/m ² but not more than 150 g/m ²	12.5%	Free (B,IL) 2.5% (CA)	74%
5603.94	Weighing more than 150 g/m ² :			
5603.94.10 ³⁰³	Floor covering underlays.....	3.4%	Free (B,IL) 0.6% (CA)	40%
	Other:			
5603.94.30 ³⁰⁴	Laminated fabrics.....	16%	Free (IL) 3.2% (CA)	83.5%
5603.94.90 ³⁰⁵	Other.....	12.5%	Free (B,IL) 2.5% (CA)	74%"

²⁹⁴ The Association of the Nonwoven Fabrics Industry (INDA) suggested in a written submission that the superior text to new subheading 5603.11.00 read "Of technologies which incorporate man-made filament:", rather than "Of man-made filament:" and that the superior text to new subheading 5603.91.00 read "Of technologies which incorporate other fibers:", rather than "Other:". The Commission's proposal comes directly from CCC's article 16 recommendation; further changes to these texts would require future CCC action.

²⁹⁵ ex 5603.00.90
²⁹⁶ ex 5603.00.90
²⁹⁷ ex 5603.00.90
²⁹⁸ ex 5603.00.30
²⁹⁹ ex 5603.00.90
³⁰⁰ ex 5603.00.90
³⁰¹ ex 5603.00.90
³⁰² ex 5603.00.90
³⁰³ ex 5603.00.10
³⁰⁴ ex 5603.00.30
³⁰⁵ ex 5603.00.90

CHAPTER 58

58-1. The article description of heading 5804 is modified by deleting the expression "in motifs:" and inserting the expression "in motifs, other than fabrics of heading 6002:" in lieu thereof.

CHAPTER 59

59-1. Note 4 to chapter 59 is modified by--

- (1) replacing the semicolon in item (c) with a period;
- (2) deleting item (d); and
- (3) inserting the following new second paragraph:

"This heading does not, however, apply to plates, sheets or strip of cellular rubber, combined with textile fabric, where the textile fabric is present merely for reinforcing purposes (chapter 40), or textile products of heading 5811."

59-2. Subparagraph (a)(i) of note 7 to chapter 59 is superseded by the following:

"(i) Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams);"

59-3. The article description of heading 5910.00 is superseded by the following:

"Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics, or reinforced with metal or other material:"

59-4. The article description of subheading 5911.10 is superseded by the following:

"Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams):"

CHAPTER 61

61-1.³⁰⁶ Note 3 to chapter 61 is superseded by the following:

"3. For the purposes of headings 6103 and 6104:

(a) The term "suit" means a set of garments composed of two or three pieces made up, in respect of their outer surface, in the same fabric and comprising:

- one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition whose front is made from the same fabric as the outer surface of the other components of the set and whose back is made from the same fabric as the lining of the suit coat or jacket; and
- one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs.

All of the components of a "suit" must be of the same fabric construction, color and composition; they must also be of the same style and of corresponding or compatible size. However, these components may have piping (a strip of fabric sewn into the seam) in a different fabric.

If several separate components to cover the lower part of the body are presented together (for example, two pairs of trousers or trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be one pair of trousers or, in the case of women's or girls' suits, the skirt or divided skirt, the other garments being considered separately.

The term "suit" includes the following sets of garments, whether or not they fulfill all the above conditions:

- morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;

³⁰⁶ In a written submission, Junior Gallery, Ltd., sought to modify the Commission's proposals concerning new notes 3 to chapters 61 and 62 with respect to "piping" on suits. The Commission's proposals in this regard come directly from the CCC's article 16 recommendation; Junior Gallery's proposed modifications of this language would require future CCC action.

- evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;
 - dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels.
- (b) The term "ensemble" means a set of garments put up for retail sale, composed of several pieces which respectively must be made up, in respect of their outer surface, mainly in the same fabric, and comprising:
- one garment designed to cover the upper part of the body (other than articles of headings 6107 and 6108 and the singlets or other vests of heading 6109), which may be accompanied by a pullover (in the case of twin sets) or by a waistcoat (in other cases);
 - one or two different garments, designed to cover the lower part of the body and consisting of trousers, bib and brace overalls, breeches, shorts (other than swimwear), a skirt or a divided skirt.

All of the components of an "ensemble" must be of corresponding or compatible size.

The term "ensemble" does not cover sets of garments mentioned as such in this chapter, namely suits, pajamas, track suits and ski suits."

61-2. Notes 5 through 9 to chapter 61 are renumbered as 6 through 10, respectively, and the following new note 5 is inserted:

"5. Heading 6109 does not cover garments with a drawstring, ribbed waistband or other means of tightening at the bottom of the garment."

61-3. The article description of subheading 6116.10 is superseded by the following:

"Impregnated, coated or covered with plastics or rubber:"

CHAPTER 62

62-1.³⁰⁷ Note 3 to chapter 62 is superseded by the following:

"3. For the purposes of headings 6203 and 6204:

(a) The term "suit" means a set of garments composed of two or three pieces made up, in respect of their outer surface, in the same fabric and comprising:

- one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition whose front is made from the same fabric as the outer surface of the other components of the set and whose back is made from the same fabric as the lining of the suit coat or jacket; and
- one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs.

All of the components of a "suit" must be of the same fabric construction, color and composition; they must also be of the same style and of corresponding or compatible size. However, these components may have piping (a strip of fabric sewn into the seam) in a different fabric.

If several separate components to cover the lower part of the body are presented together (for example, two pairs of trousers or trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be one pair of trousers or, in the case of women's or girls' suits, the skirt or divided skirt, the other garments being considered separately.

The term "suit" includes the following sets of garments, whether or not they fulfill all the above conditions:

- morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;

³⁰⁷ In a written submission, Junior Gallery, Ltd., sought to modify the Commission's proposals concerning new notes 3 to chapters 61 and 62 with respect to "piping" on suits. The Commission's proposals in this regard come directly from the CCC's article 16 recommendation; Junior Gallery's proposed modifications of this language would require future CCC action.

- evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;
- dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels.

(b) The term "ensemble" means a set of garments put up for retail sale, composed of several pieces which respectively must be made up, in respect of their outer surface, mainly in the same fabric, and comprising:

- one garment designed to cover the upper part of the body (other than articles of headings 6207 and 6208) which may be accompanied by a waistcoat;
- one or two different garments, designed to cover the lower part of the body and consisting of trousers, bib and brace overalls, breeches, shorts (other than swimwear), a skirt or a divided skirt.

All of the components of an "ensemble" must be of corresponding or compatible size.

The term "ensemble" does not cover sets of garments mentioned as such in this chapter, namely suits, pajamas, track suits and ski suits."

CHAPTER 63

63-1. Subheading 6305.31.00 is superseded by the following:

[Sacks and bags, of a kind used for the...:]				
[Of man-made textile materials:]				
"6305.32.00 ³⁰⁸	Flexible intermediate bulk containers....	9.5%	Free (IL) 1.9% (CA)	103%
6305.33.00 ³⁰⁹	Other, of polyethylene or polypropylene strip or the like.....	9.5%	Free (IL) 1.9% (CA)	103%"

³⁰⁸ ex 6305.31.00, 6305.39.00

³⁰⁹ ex 6305.31.00

CHAPTER 64

64-1. Subparagraph (a) of note 1 to chapter 64 is superseded by the following:

- "(a) Disposable foot or shoe coverings of flimsy material (for example, paper, sheeting of plastics) without applied soles. These products are classified according to their constituent material;"

64-2. Subparagraphs (b) through (e) of note 1 to chapter 64 are redesignated as (c) through (f), respectively, and the following new subparagraph (b) is inserted:

- "(b) Footwear of textile material, without an outer sole glued, sewn or otherwise affixed or applied to the upper (section XI);"

64-3. Note 2 to chapter 64 is superseded by the following:

- "2. For the purposes of heading 6406, the term "parts" does not include pegs, protectors, eyelets, hooks, buckles, ornaments, braid, laces, pompons or other trimmings (which are to be classified in their appropriate headings) or buttons or other goods of heading 9606."

64-4. Note 3 to chapter 64 is superseded by the following:

- "3. For the purposes of this chapter:

- (a) The terms "rubber" and "plastics" include woven fabrics or other textile products with an external layer of rubber or plastics being visible to the naked eye; for the purpose of this provision, no account should be taken of any resulting change of color; and
- (b) The expression "leather" refers to the goods of headings 4104 to 4109."

64-5. Subparagraph (b) of subheading note 1 to chapter 64 is modified by inserting the expression "snowboard boots," after the expression "cross-country ski footwear,".

64-6.³¹⁰ Subheading 6402.11.00 is superseded by the following:

[Other footwear with outer soles and uppers...:]				
[Sports footwear:]				
"6402.12	Ski boots, cross-country ski footwear and snowboard boots:			
6402.12.10 ³¹¹	Snowboard boots.....	37.5%	Free (IL) 7.5% (CA)	66%
6402.12.60 ³¹²	Other.....	6%	Free (IL) 1.2% (CA)	35% ["]

64-7.³¹³ Subheadings 6403.11, 6403.11.30 and 6403.11.60 are superseded by the following:

[Footwear with outer soles of rubber,...]				
[Sports footwear:]				
"6403.12	Ski boots, cross-country ski footwear and snowboard boots:			
	Snowboard boots:			
6403.12.10 ³¹⁴	For men, youths and boys.....	8.5%	Free (IL) 1.7% (CA)	20%
6403.12.15 ³¹⁵	Other.....	10%	Free (IL) 2% (CA)	20%
	Other:			
6403.12.15 ³¹⁶	Welt footwear.....	Free		20%
6403.12.20 ³¹⁷	Other.....	10%	Free (IL) 2% (CA)	20% ["]

³¹⁰ In written submissions, Customs and the American Ski Federation pointed out discrepancies in the proposed duty rates to be applied to snowboard boots, as presented in the Commission's May 14 document. After consultation with Customs, the Commission revised its proposals to reflect current Customs practice.

³¹¹ ex 6401.99.60, 6402.91.50

³¹² ex 6402.11.00

³¹³ In written submissions, Customs and the American Ski Federation pointed out discrepancies in the proposed duty rates to be applied to snowboard boots, as presented in the Commission's May 14 document. After consultation with Customs, the Commission revised its proposals to reflect current Customs practice.

³¹⁴ ex 6403.91.60

³¹⁵ ex 6403.91.90

³¹⁶ ex 6403.11.30

³¹⁷ ex 6403.11.60

64-8.³¹⁸ Subheading 6404.11.90 is superseded by the following:

[Footwear with outer soles of rubber...]			
[Footwear with outer soles of rubber....]			
[Sports footwear; tennis shoes,....]			
[Other:]			
"Valued over \$12/pair:			
"6404.11.85 ³¹⁹	Snowboard boots.....	37.5%	Free (IL) 66%
			7.5% (CA)
6404.11.95 ³²⁰	Other.....	20%	Free (IL) 35%
			4% (CA)

CHAPTER 68

68-1. Subheading 6810.20.00 is deleted.

68-2. The article description of heading 6815 is modified by deleting the expression "including articles of peat)" and inserting the expression "including carbon fibers, articles of carbon fibers and articles of peat)" in lieu thereof.

CHAPTER 69

69-1. Subparagraphs (b) through (l) of note 2 to chapter 69 are redesignated as (c) through (m), respectively, and the following new subparagraph (b) is inserted:

"(b) Articles of heading 6804;"

69-2. The article description of subheading 6903.10.00 is superseded by the following:

"Containing by weight more than 50 percent of graphite or other carbon or of a mixture of these products"

69-3. The following new subheading 6909.12.00 is inserted in numerical order:

[Ceramic wares for laboratory...]			
[Ceramic wares for laboratory...]			
"6909.12.00 ³²¹	Articles having a hardness equivalent		
	to 9 or more on the Mohs scale.....	8%	Free (A,E,I,L,J) 45%
			1.6% (CA)

³¹⁸ In written submissions, Customs and the American Ski Federation pointed out discrepancies in the proposed duty rates to be applied to snowboard boots, as presented in the Commission's May 14 document. After consultation with Customs, the Commission revised its proposals to reflect current Customs practice.

³¹⁹ ex 6404.19.20

³²⁰ ex 6404.11.90

³²¹ ex 6909.19.50

CHAPTER 70

70-1. Subparagraph (c) of note 1 to chapter 70 is superseded by the following:

"(c) Electrical insulators (heading 8546) or fittings of insulating material of heading 8547;"

70-2. Subparagraph (d) of note 1 to chapter 70 is modified by inserting the expression "optical fiber cables," after the expression "Optical fibers,".

70-3. Subparagraph (c) of note 2 to chapter 70 is superseded by the following:

"(c) The expression "absorbent, reflecting or non-reflecting layer" means a microscopically thin coating of metal or of a chemical compound (for example, metal oxide) which absorbs, for example, infrared light; or which improves the reflecting qualities of the glass while still allowing it to retain a degree of transparency or translucency; or which prevents light from being reflected on the surface of the glass."

70-4. The article description of heading 7003 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-5. The article description of subheading 7003.11.00 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-6. The article description of heading 7004 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-7. The article description of subheading 7004.10 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-8. The article description of subheading 7004.10.10 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-9. The article description of heading 7005 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-10. The article description of subheading 7005.10.00 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

70-11. Subheadings 7010.90 and 7010.90.05 through 7010.90.50 are superseded by the following:

[Carboys, bottles, flasks, jars, pots...]				
"7010.20	Stoppers, lids and other closures:			
7010.20.20 ³²²	Produced by automatic machine.....	3.7%	Free (A,E,IL,J) 0.7% (CA)	25%
7010.20.30 ³²³	Other.....	7.5%	Free (A,E,IL,J) 1.5% (CA)	75%
Other, of a capacity:				
7010.91	Exceeding 1 liter:			
7010.91.05 ³²⁴	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/ gross
Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:				
7010.91.20 ³²⁵	Produced by automatic machine.....	3.7%	Free (A,E,IL,J) 0.7% (CA)	25%
7010.91.30 ³²⁶	Other.....	7.5%	Free (A,E,IL,J) 1.5% (CA)	75%
7010.91.50 ³²⁷	Other containers (with or without their closures).....	Free		4.9%
7010.92	Exceeding 0.33 liter but not exceeding 1 liter:			
7010.92.05 ³²⁸	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/ gross
Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:				
7010.92.20 ³²⁹	Produced by automatic machine.....	3.7%	Free (A,E,IL,J) 0.7% (CA)	25%
7010.92.30 ³³⁰	Other.....	7.5%	Free (A,E,IL,J) 1.5% (CA)	75%
7010.92.50 ³³¹	Other containers (with or without their closures).....	Free		4.9%

³²² ex 7010.90.20
³²³ ex 7010.90.30
³²⁴ ex 7010.90.05
³²⁵ ex 7010.90.20
³²⁶ ex 7010.90.30
³²⁷ ex 7010.90.50
³²⁸ ex 7010.90.05
³²⁹ ex 7010.90.20
³³⁰ ex 7010.90.30
³³¹ ex 7010.90.50

7010.93	Exceeding 0.15 liter but not exceeding 0.33 liter:			
7010.93.05 ³³²	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:			
7010.93.20 ³³³	Produced by automatic machine.....	3.7%	Free (A,E,IL,J) 0.7% (CA)	25%
7010.93.30 ³³⁴	Other.....	7.5%	Free (A,E,IL,J) 1.5% (CA)	75%
7010.93.50 ³³⁵	Other containers (with or without their closures).....	Free		4.9%
7010.94	Not exceeding 0.15 liter:			
7010.94.05 ³³⁶	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:			
7010.94.20 ³³⁷	Produced by automatic machine.....	3.7%	Free (A,E,IL,J) 0.7% (CA)	25%
7010.94.30 ³³⁸	Other.....	7.5%	Free (A,E,IL,J) 1.5% (CA)	75%
7010.94.50 ³³⁹	Other containers (with or without their closures).....	Free		4.9% ¹¹

³³² ex 7010.90.05
³³³ ex 7010.90.20
³³⁴ ex 7010.90.30
³³⁵ ex 7010.90.50
³³⁶ ex 7010.90.05
³³⁷ ex 7010.90.20
³³⁸ ex 7010.90.30
³³⁹ ex 7010.90.50

70-12. Subheadings 7019.10 through 7019.90.50 are superseded by the following:

[Glass fibers (including glass wool)....]				
"Slivers, rovings, yarn and chopped strands:				
7019.11.00 ³⁴⁰	Chopped strands, of a length of not more than 50 mm.....	6.2%	Free (A,E,IL,J) 1.2% (CA)	50%
7019.12.00 ³⁴¹	Rovings.....	6%	Free (A,E,IL,J) 1.2% (CA)	50%
7019.19	Other:			
Yarns:				
7019.19.10 ³⁴²	Not colored.....	7.4%	Free (IL) 1.4% (CA)	50%
7019.19.20 ³⁴³	Colored.....	9.6%	Free (IL) 1.9% (CA)	60%
7019.19.30 ³⁴⁴	Chopped strands, of a length more than 50 mm.....	6.2%	Free (A,E,IL,J) 1.2% (CA)	50%
7019.19.60 ³⁴⁵	Other.....	6%	Free (A,E,IL,J) 1.2% (CA)	50%
Thin sheets (voiles), webs, mats, mattresses, boards and similar nonwoven products:				
7019.31.00 ³⁴⁶	Mats.....	6.2%	Free (A,B,E, IL,J) 1.2% (CA)	50%
7019.32.00 ³⁴⁷	Thin sheets (voiles).....	6.2%	Free (A,B,E,IL,J) 1.2% (CA)	50%
7019.39	Other:			
7019.39.10 ³⁴⁸	Insulation products.....	6.2%	Free (A,B,E,IL,J) 1.2% (CA)	50%
7019.39.50 ³⁴⁹	Other.....	6.2%	Free (A,B,E,IL,J) 1.2% (CA)	50%
7019.40	Woven fabrics of rovings:			
7019.40.10 ³⁵⁰	Of a width not exceeding 30 cm (narrow fabrics).....	6%	Free (IL) 1.2% (CA)	50%
Other:				
7019.40.20 ³⁵¹	Not colored.....	8.3%	Free (IL) 1.2% (CA)	50%
7019.40.50 ³⁵²	Colored.....	11.1%	Free (IL) 2.2% (CA)	60%

³⁴⁰ ex 7019.10.30
³⁴¹ ex 7019.10.40
³⁴² ex 7019.10.10
³⁴³ ex 7019.10.20
³⁴⁴ ex 7019.10.30
³⁴⁵ ex 7019.10.60
³⁴⁶ no change
³⁴⁷ no change
³⁴⁸ no change
³⁴⁹ no change
³⁵⁰ ex 7019.20.10
³⁵¹ ex 7019.20.20
³⁵² ex 7019.20.50

7019.51.00 ³⁵³	Other woven fabrics: Of a width not exceeding 30 cm (narrow fabrics).....	6%	Free (IL) 1.2% (CA)	50%
7019.52	Of a width exceeding 30 cm, plain weave, weighing less than 250 g/m ² , of filaments measuring per single yarn not more than 136 tex:			
7019.52.20 ³⁵⁴	Not colored.....	8.3%	Free (IL) 1.6% (CA)	50%
7019.52.50 ³⁵⁵	Colored.....	11.1%	Free (IL) 2.2% (CA)	60%
7019.59	Other:			
7019.59.20 ³⁵⁶	Not colored.....	8.3%	Free (IL) 1.6% (CA)	50%
7019.59.50 ³⁵⁷	Colored.....	11.1%	Free (IL) 2.2% (CA)	60%
7019.90	Other:			
7019.90.10 ³⁵⁸	Woven.....	6.9%	Free (E,IL,J) 1.3% (CA)	60%
7019.90.50 ³⁵⁹	Other.....	6.2%	Free (A,B,E,IL,J) 1.2% (CA)	50%

CHAPTER 71

71-1. Subparagraphs (d) through (o) of note 3 to chapter 71 are redesignated as (e) through (p), respectively, and the following new subparagraph (d) is inserted:

"(d) Supported catalysts (heading 3815);"

71-2. Subparagraph (e) (redesignated from (d)) of note 3 to chapter 71 is deleted and the following inserted in lieu thereof:

"(e) Articles of heading 4202 or 4203 referred to in note 2(B) to chapter 42;"

71-3. Notes 8, 9 and 10 to chapter 71 are renumbered as notes 9, 10 and 11, respectively, and the following new note 8 is inserted:

"8. Subject to note 1(a) to section VI, goods answering to a description in heading 7112 are to be classified in that heading and in no other heading of the nomenclature."

71-4. Note 10 (renumbered 11) to chapter 71 is modified by deleting the expression "note 8" and inserting the expression "note 9" in lieu thereof.

71-5. The article description of heading 7101 is modified by deleting the expression "ungraded".

³⁵³ ex 7019.20.10
³⁵⁴ ex 7019.20.20
³⁵⁵ ex 7019.20.50
³⁵⁶ ex 7019.20.20
³⁵⁷ ex 7019.20.50
³⁵⁸ no change
³⁵⁹ no change

71-6. The article description of heading 7112 is modified by deleting the expression "clad with precious metal:" and inserting the following in lieu thereof:

"clad with precious metal; other waste and scrap containing precious metal or precious metal compounds, of a kind use principally for the recovery of precious metal:"

71-7. Subheadings 7116.10.15 and 7116.10.20 are superseded by the following:

	[Articles of natural or cultured pearls....]			
	[Of natural or cultured pearls:]			
"7116.10.25 ³⁶⁰	Cultured.....	11%	Free (A,CA,E IL,J)	110%"

³⁶⁰ ex 7116.10.20; graded pearls, strung temporarily for convenience of transport are transferred to 7101.

SECTION XV

XV-1. Notes 3 through 6 to section XV are renumbered as 5 through 8, respectively, and the following new notes 3 and 4 are inserted:

- "3. Throughout the nomenclature, the expression "base metals" means: iron and steel, copper, nickel, aluminum, lead, zinc, tin, tungsten (wolfram), molybdenum, tantalum, magnesium, cobalt, bismuth, cadmium, titanium, zirconium, antimony, manganese, beryllium, chromium, germanium, vanadium, gallium, hafnium, indium, niobium (columbium), rhenium and thallium.
4. Throughout the nomenclature, the term "cermets" means products containing a microscopic heterogeneous combination of a metallic component and a ceramic component. The term "cermets" includes sintered metal carbides (metal carbides sintered with a metal)."

XV-2. Note 5 (renumbered 6) to section XV is modified by deleting the expression "note 3" and inserting the expression "note 5" in lieu thereof.

XV-3. Additional U.S. note 1 to section XV is deleted, and additional U.S. note 2 is renumbered as new additional U.S. note 1.

CHAPTER 72

72-1. Subparagraph (1) of note 1 to chapter 72 is superseded by the following:

"(1) Bars and rods, hot-rolled, in irregularly wound coils

Hot-rolled products in irregularly wound coils, which have a solid cross-section in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles or other convex polygons (including "flattened circles" and "modified rectangles", of which two opposite sides are convex arcs, the other two sides being straight, of equal length and parallel). These products may have indentations, ribs, grooves or other deformations produced during the rolling process (reinforcing bars and rods)."

72-2. Subparagraph (m) of note 1 to chapter 72 is superseded by the following:

"(m) Other bars and rods

Products which do not conform to any of the definitions at (ij), (k) or (l) above or to the definition of wire, which have a uniform solid cross-section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles or other convex polygons (including "flattened circles" and "modified rectangles", of which two opposite sides are convex arcs, the other two sides being straight, of equal length and parallel). These products may:

- have indentations, ribs, grooves or other deformations produced during the rolling process (reinforcing bars and rods);
- be twisted after rolling."

72-3. Subparagraph (e) of subheading note 1 to chapter 72 is superseded by the following:

"(e) Silico-manganese steel

Alloy steels containing by weight:

- not more than 0.7 percent of carbon,
- 0.5 percent or more but not more than 1.9 percent of manganese, and
- 0.6 percent or more but not more than 2.3 percent of silicon, but no other element in a proportion that would give the steel the characteristics of another alloy steel."

72-4. Subheadings 7201.30.00 and 7201.40.00 are superseded by the following:

[Pig iron and spiegeleisen in pigs, blocks...:]				
"7201.50	Alloy pig iron; spiegeleisen:			
7201.50.30 ³⁶¹	Alloy pig iron.....	Free		\$1.11/t
7201.50.60 ³⁶²	Spiegeleisen.....	0.2%	Free (CA,E,IL,J)	0.5%"

³⁶¹ ex 7201.30.00
³⁶² ex 7201.40.00

72-5. Heading 7208 and its subheadings are superseded by the following:

"7208	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated:			
7208.10	In coils, not further worked than hot-rolled, with patterns in relief:			
7208.10.15 ³⁶³	Pickled.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
	Other:			
7208.10.30 ³⁶⁴	Of a thickness of 4.75 mm or more.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7208.10.60 ³⁶⁵	Of a thickness of less than 4.75 mm.....	4.9%	Free (E,IL,J) 0.9% (CA)	20%
	Other, in coils, not further worked than hot-rolled, pickled:			
7208.25	Of a thickness of 4.75 mm or more:			
7208.25.30 ³⁶⁶	Of high-strength steel.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7208.25.60 ³⁶⁷	Other.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7208.26.00 ³⁶⁸	Of a thickness of 3 mm or more but less than 4.75 mm.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7208.27.00 ³⁶⁹	Of a thickness of less than 3 mm....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
	Other, in coils, not further worked than hot-rolled:			
7208.36.00 ³⁷⁰	Of a thickness exceeding 10 mm.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7208.37.00 ³⁷¹	Of a thickness of 4.75 mm or more but not exceeding 10 mm.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7208.38.00 ³⁷²	Of a thickness of 3 mm or more but less than 4.75 mm.....	4.9%	Free (E,IL,J) 0.9% (CA)	20%
7208.39.00 ³⁷³	Of a thickness of less than 3 mm....	4.9%	Free (E,IL,J) 0.9% (CA)	20%
7208.40	Not in coils, not further worked than hot-rolled, with patterns in relief:			
7208.40.30 ³⁷⁴	Of a thickness of 4.75 mm or more...	6%	Free (E,IL,J) 1% (CA)	20%
7208.40.60 ³⁷⁵	Of a thickness less than 4.75 mm....	4.9%	Free (E,IL,J) 0.9% (CA)	20%

³⁶³ ex 7208.11.00, 7208.12.00, 7208.13.10, 7208.14.10, 7208.21.10, 7208.22.10, 7208.23.10, 7208.24.10

³⁶⁴ ex 7208.11.00, 7208.12.00, 7208.21.50, 7208.22.50

³⁶⁵ ex 7208.13.50, 7208.14.50, 7208.23.50, 7208.24.50

³⁶⁶ ex 7208.11.00, 7208.12.00

³⁶⁷ ex 7208.21.10, 7208.22.10

³⁶⁸ ex 7208.13.10, 7208.23.10

³⁶⁹ ex 7208.14.10, 7208.24.10

³⁷⁰ ex 7208.11.00, 7208.21.50

³⁷¹ ex 7208.12.00, 7208.22.50

³⁷² ex 7208.13.50, 7208.23.50

³⁷³ ex 7208.14.50, 7208.24.50

³⁷⁴ ex 7208.31.00, 7208.32.00, 7208.33.10, 7208.33.50, 7208.41.00, 7208.42.00, 7208.43.00

³⁷⁵ ex 7208.31.00, 7208.34.10, 7208.34.50, 7208.35.10, 7208.35.50, 7208.41.00, 7208.44.00, 7208.45.00

	Other, not in coils, not further worked than hot-rolled:			
7208.51.00 ³⁷⁶	Of a thickness exceeding 10 mm.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7208.52.00 ³⁷⁷	Of a thickness of 4.75 mm or more but not exceeding 10 mm.....	6%	Free (E,IL,J) 1% (CA)	20%
7208.53.00 ³⁷⁸	Of a thickness of 3 mm or more but less than 4.75 mm.....	4.9%	Free (E,IL,J) 0.9% (CA)	20%
7208.54.00 ³⁷⁹	Of a thickness of less than 3 mm....	4.9%	Free (E,IL,J) 0.9% (CA)	20%
7208.90.00 ³⁸⁰	Other.....	5%	Free (E,IL,J) 1% (CA)	20%"

72-6. Heading 7209 and its subheadings are superseded by the following:

"7209	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated: In coils, not further worked than cold-rolled (cold-reduced):			
7209.15.00 ³⁸¹	Of a thickness of 3 mm or more.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.16.00 ³⁸²	Of a thickness exceeding 1 mm but less than 3 mm.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.17.00 ³⁸³	Of a thickness of 0.5 mm or more but not exceeding 1 mm.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.18	Of a thickness of less than 0.5 mm:			
7209.18.15 ³⁸⁴	Of high-strength steel.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
	Other:			
7209.18.25 ³⁸⁵	Of a thickness of less than 0.361 mm (black-plate).....	3.2%	Free (E,IL,J) 0.6% (CA)	20%
7209.18.60 ³⁸⁶	Other.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%

³⁷⁶ ex 7208.31.00, 7208.32.00, 7208.41.00, 7208.42.00
³⁷⁷ ex 7208.31.00, 7208.33.10, 7208.33.50, 7208.43.00
³⁷⁸ ex 7208.31.00, 7208.34.10, 7208.34.50, 7208.44.00
³⁷⁹ ex 7208.35.10, 7208.35.50, 7208.45.00
³⁸⁰ no change
³⁸¹ ex 7209.11.00, 7209.21.00
³⁸² ex 7209.12.00, 7209.22.00
³⁸³ ex 7209.13.00, 7209.23.00
³⁸⁴ ex 7209.14.00
³⁸⁵ ex 7209.24.10
³⁸⁶ ex 7209.24.50

7209.25.00 ³⁸⁷	Not in coils, not further worked than cold-rolled (cold-reduced): Of a thickness of 3 mm or more.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.26.00 ³⁸⁸	Of a thickness exceeding 1 mm but less than 3 mm.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.27.00 ³⁸⁹	Of a thickness of 0.5 mm or more but not exceeding 1 mm.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.28.00 ³⁹⁰	Of a thickness of less than 0.5 mm..	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7209.90.00 ³⁹¹	Other.....	5.1%	Free (E,IL,J) 1% (CA)"	0.4¢/kg + 20%"

72-7. Subheadings 7210.31.00 (and the superior text thereto) and 7210.39.00 are superseded by the following:

"7210.30.00 ³⁹²	[Flat-rolled products of iron or nonalloy...:] Electrolytically plated or coated with zinc.....	6.5%	Free (E,IL,J) 1.3% (CA)	21.5%"
----------------------------	--	------	----------------------------	--------

72-8. Subheading 7210.60.00 is superseded by the following:

7210.61.00 ³⁹³	[Flat-rolled products of iron or nonalloy...:] "Plated or coated with aluminum: Plated or coated with aluminum-zinc alloys.....	6.5%	Free (E,IL,J) 1.3% (CA)	21.5%
7210.69.00 ³⁹⁴	Other.....	6.5%	Free (E,IL,J) 1.3% (CA)	21.5%"

³⁸⁷ ex 7209.31.00, 7209.41.00
³⁸⁸ ex 7209.32.00, 7209.42.00
³⁸⁹ ex 7209.33.00, 7209.43.00
³⁹⁰ ex 7209.34.00, 7209.44.00
³⁹¹ no change
³⁹² ex 7210.31.00, 7210.39.00
³⁹³ ex 7210.60.00
³⁹⁴ ex 7210.60.00

72-9. Heading 7211 and its subheadings are superseded by the following:

"7211	Flat-rolled products of iron or nonalloy steel, of a width of less than 600 mm, not clad, plated or coated:			
	Not further worked than hot-rolled:			
7211.13.00 ³⁹⁵	Universal mill plate.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7211.14.00 ³⁹⁶	Other, of a thickness of 4.75 mm or more.....	6%	Free (E,IL,J) 1.2% (CA)	20%
7211.19 ³⁹⁷	Other:			
	Of a width of less than 300 mm:			
7211.19.15 ³⁹⁸	Of high-strength steel....	5.7%	Free (E,IL,J) 1.1% (CA)	25%
	Other:			
7211.19.20 ³⁹⁹	Of a thickness exceeding 1.25 mm....	5.7%	Free (E,IL,J) 1.1% (CA)	25%
7211.19.30 ⁴⁰⁰	Other.....	3.4%	Free (E,IL,J) 0.6% (CA)	25%
7211.19.45 ⁴⁰¹	Other:			
	Of high-strength steel....			
		4.9%	Free (E,IL,J) 0.9% (CA)	20%
	Other:			
7211.19.60 ⁴⁰²	Pickled.....	5.1%	Free (E,IL,J) 1% (CA)	0.4¢/kg + 20%
7211.19.75 ⁴⁰³	Other.....	4.9%	Free (E,IL,J) 0.9% (CA)	20%

³⁹⁵ ex 7211.11.00, 7211.21.00

³⁹⁶ ex 7211.12.00, 7211.22.00

³⁹⁷ This 6-digit subheading number has been reused with a significant change in the scope of the article description.

³⁹⁸ ex 7211.19.10

³⁹⁹ ex 7211.29.10

⁴⁰⁰ ex 7211.29.30

⁴⁰¹ ex 7211.19.50

⁴⁰² ex 7211.29.50

⁴⁰³ ex 7211.29.70

Not further worked than cold-rolled (cold-reduced):			
7211.23	Containing by weight less than 0.25 percent of carbon: Of a width of less than 300 mm:		
	Of a thickness exceeding 1.25 mm:		
7211.23.15 ⁴⁰⁴	Of high-strength steel.....	3.4%	Free (E,IL,J) 0.6% (CA) 25%
7211.23.20 ⁴⁰⁵	Other.....	5.7%	Free (E,IL,J) 1.1% (CA) 25%
7211.23.30 ⁴⁰⁶	Of a thickness exceeding 0.25 mm but not exceeding 1.25 mm.....	3.4%	Free (E,IL,J) 0.6% (CA) 25%
7211.23.45 ⁴⁰⁷	Of a thickness not exceeding 0.25 mm.....	2.4%	Free (E,IL,J) 0.4% (CA) 25%
7211.23.60 ⁴⁰⁸	Other.....	5.1%	Free (E,IL,J) 1% (CA) 0.4€/kg + 20%
7211.29 ⁴⁰⁹	Other:		
	Of a width of less than 300 mm:		
7211.29.20 ⁴¹⁰	Of a thickness exceeding 0.25 mm.....	3.4%	Free (E,IL,J) 0.6% (CA) 25%
7211.29.45 ⁴¹¹	Other.....	2.4%	Free (E,IL,J) 0.4% (CA) 25%
7211.29.60 ⁴¹²	Other.....	5.1%	Free (E,IL,J) 1% (CA) 0.4€/kg + 20%
7211.90.00 ⁴¹³	Other.....	5.1%	Free (E,IL,J) 1% (CA) 20%"

72-10. Subheadings 7212.21.00 (and the superior text thereto) and 7212.29.00 are superseded by the following:

7212.20.00 ⁴¹⁴	[Flat-rolled products of iron...:] Electrolytically plated or coated with zinc.....	6.5%	Free (E,IL,J) 1.3% (CA) 21.5%"
---------------------------	---	------	-----------------------------------

-
- ⁴⁰⁴ ex 7211.30.10
⁴⁰⁵ ex 7211.41.10
⁴⁰⁶ ex 7211.30.10, 7211.41.30
⁴⁰⁷ ex 7211.30.30, 7211.41.50
⁴⁰⁸ ex 7211.30.50, 7211.41.70
⁴⁰⁹ This 6-digit subheading number has been reused with a significant change in the scope of the article description.
⁴¹⁰ ex 7211.30.10, 7211.49.10
⁴¹¹ ex 7211.30.30, 7211.49.30
⁴¹² ex 7211.30.50, 7211.49.50
⁴¹³ no change
⁴¹⁴ ex 7212.21.00, 7212.29.00

72-11. Heading 7213 and its subheadings are superseded by the following:

"7213	Bars and rods, hot-rolled, in irregularly wound coils, of iron or nonalloy steel:			
7213.10.00 ⁴¹⁵	Concrete reinforcing bars and rods.....	4.9%	Free (E,IL,J) 0.9% (CA)	20%
7213.20.00 ⁴¹⁶	Other, of free-cutting steel.....	1.9%	Free (E,IL,J) 0.3% (CA)	5.5%
7213.91	Other:			
	Of circular cross section measuring less than 14 mm in diameter:			
7213.91.30 ⁴¹⁷	Not tempered, not treated and not partly manufactured.....	1.9%	Free (E,IL,J) 0.3% (CA)	5.5%
7213.91.45 ⁴¹⁸	Other:			
	Containing by weight 0.6 percent or more of carbon.....	1.9%	Free (E,IL,J) 0.3% (CA)	5.5%
7213.91.60 ⁴¹⁹	Other.....	2.3%	Free (E,IL,J) 0.4% (CA)	6%
7213.99.00 ⁴²⁰	Other.....	1.9%	Free (E,IL,J) 0.3% (CA)	5.5%"

72-12. Subheadings 7214.30.00 through 7214.60.00 are superseded by the following:

"7214.30.00 ⁴²¹	[Other bars and rods of iron or...:] Other, of free-cutting steel.....	4.7%	Free (E,IL,J) 0.9% (CA)	20%
7214.41.00 ⁴²²	Other:			
	Of rectangular (other than square) cross section.....	4.7%	Free (E,IL,J) 0.9% (CA)	20%
7214.49.00 ⁴²³	Other.....	4.7%	Free (E,IL,J) 0.9% (CA)	20%"

72-13. Subheadings 7215.20.00, 7215.30.00, and 7215.40.00 are superseded by the following:

"7215.50.00 ⁴²⁴	[Other bars and rods of iron or nonalloy...:] Other, not further worked than cold-formed or cold-finished.....	7.5%	Free (E,IL,J) 1.5% (CA)	0.3€/kg + 20%"
----------------------------	---	------	----------------------------	-------------------

⁴¹⁵ no change

⁴¹⁶ no change; the article description for 6-digit subheading 7213.20 has been modified without changing its scope.

⁴¹⁷ ex 7213.31.30, 7213.41.30, 7213.50.00

⁴¹⁸ ex 7213.50.00

⁴¹⁹ ex 7213.31.60, 7213.41.60

⁴²⁰ ex 7213.39.00, 7213.49.00, and 7213.50.00

⁴²¹ no change; the Commission's May 14 document inadvertently omitted this revision of the article description of subheading 7214.30.00, which has been modified without a change in scope.

⁴²² ex 7214.40.00, 7214.50.00, 7214.60.00

⁴²³ ex 7214.40.00, 7214.50.00, 7214.60.00

⁴²⁴ ex 7215.20.00, 7215.30.00, 7215.40.00

72-14. Subheadings 7216.60.00 and 7216.90.00 are superseded by the following:

[Angles, shapes and sections of iron or...:]				
"Angles, shapes and sections, not further worked than cold-formed or cold-finished:				
"7216.61.00 ⁴²⁵	Obtained from flat-rolled products.....	4.9%	Free (A,E,IL,J) 0.9% (CA)	20%
7216.69.00 ⁴²⁶	Other.....	4.9%	Free (A,E,IL,J) 0.9% (CA)	20%
Other:				
7216.91.00 ⁴²⁷	Cold-formed or cold-finished from flat-rolled products.....	4.4%	Free (E,IL,J) 0.8% (CA)	20%
7216.99.00 ⁴²⁸	Other.....	4.4%	Free (E,IL,J) 0.8% (CA)	20%"

72-15. Heading 7217 and its subheadings are superseded by the following:

"7217	Wire of iron or nonalloy steel:			
7217.10 ⁴²⁹	Not plated or coated, whether or not polished:			
	Containing by weight less than 0.25 percent of carbon:			
	Flat wire:			
7217.10.10 ⁴³⁰	Of a thickness not exceeding 0.25 mm.....	4.2%	Free (E,IL,J) 0.8% (CA)	25%
7217.10.20 ⁴³¹	Of a thickness exceeding 0.25 mm but not exceeding 1.25 mm	3.2%	Free (E,IL,J) 0.6% (CA)	25%
7217.10.30 ⁴³²	Of a thickness exceeding 1.25 mm.....	5.1%	Free (E,IL,J) 1% (CA)	25%
	Round wire:			
7217.10.40 ⁴³³	With a diameter of less than 1.5 mm.....	5.3%	Free (E,IL,J) 1% (CA)	25%
7217.10.50 ⁴³⁴	With a diameter of 1.5 mm or more.....	1.5%	Free (E,IL,J) 0.3% (CA)	7%
7217.10.60 ⁴³⁵	Other wire.....	5.5%	Free (E,IL,J) 1.1% (CA)	25%

-
- ⁴²⁵ ex 7216.60.00
 - ⁴²⁶ ex 7216.60.00
 - ⁴²⁷ ex 7216.90.00
 - ⁴²⁸ ex 7216.90.00
 - ⁴²⁹ ex 7217.11, 7217.21, 7217.31
 - ⁴³⁰ ex 7217.11.10
 - ⁴³¹ ex 7217.11.20
 - ⁴³² ex 7217.11.30
 - ⁴³³ ex 7217.11.50
 - ⁴³⁴ ex 7217.11.70
 - ⁴³⁵ ex 7217.11.90

7217.10.70 ⁴³⁶	Other:			
	Flat wire.....	3.2%	Free (E,IL,J) 0.6% (CA)	25%
7217.10.80 ⁴³⁷	Round wire.....	5.3%	Free (E,IL,J) 1% (CA)	25%
7217.10.90 ⁴³⁸	Other wire.....	5.5%	Free (E,IL,J) 1.1% (CA)	25%
7217.20 ⁴³⁹	Plated or coated with zinc:			
7217.20.15 ⁴⁴⁰	Flat wire.....	5.2%	Free (E,IL,J) 1% (CA)	26%
7217.20.30 ⁴⁴¹	Round wire: With a diameter of 1.5 mm or more and containing by weight less than 0.25 percent of carbon.....	1.5%	Free (E,IL,J) 0.3% (CA)	7%
7217.20.45 ⁴⁴²	Other.....	5.3%	Free (E,IL,J) 1% (CA)	25%
7217.20.60 ⁴⁴³	Other:			
	Containing by weight less than 0.25 percent of carbon....	5.6%	Free (E,IL,J) 1.1% (CA)	25%
7217.20.75 ⁴⁴⁴	Other.....	5.2%	Free (E,IL,J) 1% (CA)	26%
7217.30 ⁴⁴⁵	Plated or coated with other base metals:			
7217.30.15 ⁴⁴⁶	Flat wire.....	5.2%	Free (E,IL,J) 1% (CA)	26%
7217.30.30 ⁴⁴⁷	Round wire: With a diameter of 1.5 mm or more and containing by weight less than 0.25 percent of carbon.....	1.5%	Free (E,IL,J) 0.3% (CA)	7%
7217.30.45 ⁴⁴⁸	Other.....	5.3%	Free (E,IL,J) 1% (CA)	25%
7217.30.60 ⁴⁴⁹	Other:			
	Containing by weight less than 0.25 percent of carbon....	5.6%	Free (E,IL,J) 1.1% (CA)	25%
7217.30.75 ⁴⁵⁰	Other.....	5.2%	Free (E,IL,J) 1% (CA)	26%

-
- ⁴³⁶ ex 7217.21.10, 7217.31.10
 - ⁴³⁷ ex 7217.21.30, 7217.31.30
 - ⁴³⁸ ex 7217.21.50, 7217.31.50
 - ⁴³⁹ ex 7217.12, 7217.22, 7217.32
 - ⁴⁴⁰ ex 7217.12.10, 7217.22.50, 7217.32.50
 - ⁴⁴¹ ex 7217.12.50
 - ⁴⁴² ex 7217.12.30, 7217.22.10, 7217.32.10
 - ⁴⁴³ ex 7217.12.70
 - ⁴⁴⁴ ex 7217.22.50, 7217.32.50
 - ⁴⁴⁵ ex 7217.13, 7217.23, 7217.33
 - ⁴⁴⁶ ex 7217.13.10, 7217.23.50, 7217.33.50
 - ⁴⁴⁷ ex 7217.13.50
 - ⁴⁴⁸ ex 7217.13.30, 7217.23.10, 7217.33.10
 - ⁴⁴⁹ ex 7217.13.70
 - ⁴⁵⁰ ex 7217.23.50, 7217.33.50

7217.90 ⁴⁵¹	Other:			
7217.90.10 ⁴⁵²	Coated with plastics.....	0.9%	Free (CA,E,IL,J) 0.1% (CA)	2%
7217.90.50 ⁴⁵³	Other.....	5.3%	Free (E,IL,J) 1% (CA)	35%"

72-16. Subheading 7218.90.00 is superseded by the following:

[Stainless steel in ingots or other primary...:]				
"Other:				
7218.91.00 ⁴⁵⁴	Of rectangular (including square) cross-section.....	5.2%	Free (E,IL,J) 1% (CA)	29%
7218.99.00 ⁴⁵⁵	Other.....	5.2%	Free (E,IL,J) 1% (CA)	29%"

72-17. Subheading 7222.10 is superseded by the following:

[Other bars and rods of stainless steel...:]				
"Bars and rods, not further worked than hot-rolled, hot-drawn or extruded:				
7222.11.00 ⁴⁵⁶	Of circular cross-section.....	10.6%	Free (E,IL,J) 2.1% (CA)	29%
7222.19.00 ⁴⁵⁷	Other.....	10.6%	Free (E,IL,J) 2.1% (CA)	29%"

72-18. Subheading 7225.10.00 is superseded by the following:

[Flat-rolled products of other alloy steel,...:]				
"Of silicon-electrical steel:				
7225.11.00 ⁴⁵⁸	Grain-oriented.....	5.8%	Free (E,IL,J) 1.1% (CA)	28%
7225.19.00 ⁴⁵⁹	Other.....	5.8%	Free (E,IL,J) 1.1% (CA)	28%"

72-19. Subheading 7225.90.00 is superseded by the following:

[Flat-rolled products of other alloy steel,...:]				
"Other:				
7225.91.00 ⁴⁶⁰	Electrolytically plated or coated with zinc.....	5.8%	Free (A,E,IL,J) 1.1% (CA)	28%
7225.92.00 ⁴⁶¹	Otherwise plated or coated with zinc.....	5.8%	Free (A,E,IL,J) 1.1% (CA)	28%
7225.99.00 ⁴⁶²	Other.....	5.8%	Free (A,E,IL,J) 1.1% (CA)	28%"

-
- ⁴⁵¹ ex 7217.19, 7217.29, 7217.39
 - ⁴⁵² ex 7217.19.10, 7217.29.10, 7217.39.10
 - ⁴⁵³ ex 7217.19.50, 7217.29.50, 7217.39.50
 - ⁴⁵⁴ ex 7218.90.00
 - ⁴⁵⁵ ex 7218.90.00
 - ⁴⁵⁶ ex 7222.10.00
 - ⁴⁵⁷ ex 7222.10.00
 - ⁴⁵⁸ ex 7225.10.00
 - ⁴⁵⁹ ex 7225.10.00
 - ⁴⁶⁰ ex 7225.90.00
 - ⁴⁶¹ ex 7225.90.00
 - ⁴⁶² ex 7225.90.00

72-20. Subheading 7226.10.00 is superseded by the following:

[Flat-rolled products of other alloy steel,...:]				
"Of silicon-electrical steel:				
Grain-oriented:				
7226.11	7226.11.10 ⁴⁶³	Of a width of 300 mm or more.....	5.8%	Free (E,IL,J) 28%
				1.1% (CA)
7225.11.90 ⁴⁶⁴		Of a width of less than 300 mm.....	7%	Free (E,IL,J) 33%
				1.4% (CA)
Other:				
7226.19	7226.19.10 ⁴⁶⁵	Of a width of 300 mm or more.....	5.8%	Free (E,IL,J) 28%
				1.1% (CA)
7225.19.90 ⁴⁶⁶		Of a width of less than 300 mm.....	7%	Free (E,IL,J) 33%"
				1.4% (CA)

72-21. The following new subheadings 7226.93.00 and 7226.94.00 are inserted in numerical order:

[Flat-rolled products of other alloy steel...:]				
[Other:]				
"7226.93.00 ⁴⁶⁷		Electrolytically plated or coated with zinc.....	6.3%	Free (E,IL,J) 33%
				1.2% (CA)
7226.94.00 ⁴⁶⁸		Otherwise plated or coated with zinc.....	6.3%	Free (E,IL,J) 33%"
				1.2% (CA)

CHAPTER 73

73-1. Subheadings 7304.20 through 7304.20.80 are superseded by the following:

[Tubes, pipes and hollow profiles...:]				
"Casing, tubing and drill pipe, of a kind used in drilling for oil or gas:				
Drill pipe:				
7304.21	7304.21.10 ⁴⁶⁹	Of iron or nonalloy steel.....	8%	Free (E,IL,J) 25%
				1.6% (CA)
7304.21.20 ⁴⁷⁰		Of alloy steel.....	7.5%	Free (E,IL,J) 35%
				1.5% (CA)
Other:				
Casing:				
7304.29.10 ⁴⁷¹		Of iron or nonalloy steel:		Free (E,IL,J) 20%
		Threaded or coupled.....	6%	1.2% (CA)
7304.29.20 ⁴⁷²		Other.....	0.5%	Free (E,IL,J) 1%
				0.1% (CA)

463	ex 7226.10.10
464	ex 7226.10.50
465	ex 7226.10.10
466	ex 7226.10.50
467	ex 7226.99.00
468	ex 7226.99.00
469	ex 7304.20.70
470	ex 7304.20.80
471	ex 7304.20.10
472	ex 7304.20.20

7304.29.30 ⁴⁷³	Of alloy steel:			
	Threaded or coupled.....	6.2%	Free (E,IL,J)	28%
7304.29.40 ⁴⁷⁴	Other.....	3.3%	1.2% (CA)	
			Free (E,IL,J)	8.5%
			0.6% (CA)	
7304.29.50 ⁴⁷⁵	Tubing:			
	Of iron or nonalloy steel.....	8%	Free (E,IL,J)	25%
			1.6% (CA)	
7304.29.60 ⁴⁷⁶	Of alloy steel.....	7.5%	Free (E,IL,J)	35%
			1.5% (CA)	

73-2. The article description of heading 7305 is modified by deleting the expression "internal and external" before the expression "circular cross sections".

73-3. Subheadings 7314.11 through 7314.50.00 are superseded by the following:

[Cloth (including endless bands), grill...:]				
"Woven cloth:				
7314.12	Endless bands for machinery, of stainless steel:			
7314.12.10 ⁴⁷⁷	With meshes not finer than 12 wires to the lineal centimeter in warp or filling.....	4.9%	Free (A,B,E,IL,J)	35%
			0.9% (CA)	
7314.12.20 ⁴⁷⁸	With meshes finer than 12 but not finer than 36 wires to the lineal centimeter in warp or filling.....	4.9%	Free (A,B,E,IL,J)	50%
			0.9% (CA)	
	With meshes finer than 36 wires to the lineal centimeter in warp or filling:			
	Fourdrinier wires, seamed or not seamed, suitable for use in papermaking machines:			
7314.12.30 ⁴⁷⁹	With 94 or more wires to the lineal centimeter.....	Free		75%
7314.12.60 ⁴⁸⁰	Other.....	10%	Free (A,E,IL,J)	75%
			2% (CA)	
7314.12.90 ⁴⁸¹	Other.....	7.2%	Free (A,B,E,IL,J)	60%
			1.4% (CA)	
7314.14.00 ⁴⁸²	Other endless bands for machinery.....	4.9%	Free (A*,B,E,IL,J)	60%
			0.9% (CA)	

⁴⁷³ ex 7304.20.30
⁴⁷⁴ ex 7304.20.40
⁴⁷⁵ ex 7304.20.50
⁴⁷⁶ ex 7304.20.60
⁴⁷⁷ ex 7314.11.10
⁴⁷⁸ ex 7314.11.20
⁴⁷⁹ ex 7314.11.30
⁴⁸⁰ ex 7314.11.60
⁴⁸¹ ex 7314.11.90
⁴⁸² ex 7314.19.00

7314.16	Other woven cloth, of stainless steel:			
7314.16.10 ⁴⁸³	With meshes not finer than 12 wires to the lineal centimeter in warp or filling.....	4.9%	Free (A,B,E,IL,J) 35% 0.9% (CA)	
7314.16.20 ⁴⁸⁴	With meshes finer than 12 but not finer than 36 wires to the lineal centimeter in warp or filling.....	4.9%	Free (A,B,E,IL,J) 50% 0.9% (CA)	
	With meshes finer than 36 wires to the lineal centimeter in warp or filling:			
	Fourdrinier wires, seamed or not seamed, suitable for use in papermaking machines:			
7314.16.30 ⁴⁸⁵	With 94 or more wires to the lineal centimeter.....	Free		75%
7314.16.60 ⁴⁸⁶	Other.....	10%	Free (A,E,IL,J) 2% (CA)	75%
7314.16.90 ⁴⁸⁷	Other.....	7.2%	Free (A,B,E,IL,J) 60% 1.4% (CA)	
7314.18.00 ⁴⁸⁸	Other woven cloth.....	4.9%	Free (A*,B,E,IL,J) 60% 0.9% (CA)	
7314.20.00 ⁴⁸⁹	Grill, netting and fencing, welded at the intersection, of wire with a maximum cross-sectional dimension of 3 mm or more and having a mesh size of 100 cm ² or more.....	5.7%	Free (A,E,IL,J) 1.1% (CA)	45%
	Other grill, netting and fencing, welded at the intersection:			
7314.31	Plated or coated with zinc:			
7314.31.10 ⁴⁹⁰	Wire fencing coated or plated with zinc, whether or not covered with plastics material.....	0.2¢/kg	Free (CA,E,IL,J) 1.1¢/kg	
7314.31.50 ⁴⁹¹	Other.....	5.7%	Free (A,E,IL,J) 1.1% (CA)	45%
7314.39.00 ⁴⁹²	Other.....	5.7%	Free (A,E,IL,J) 1.1% (CA)	45%

⁴⁸³ ex 7314.11.10
⁴⁸⁴ ex 7314.11.20
⁴⁸⁵ ex 7314.11.30
⁴⁸⁶ ex 7314.11.60
⁴⁸⁷ ex 7314.11.90
⁴⁸⁸ ex 7314.19.00
⁴⁸⁹ no change
⁴⁹⁰ ex 7314.30.10
⁴⁹¹ ex 7314.30.50
⁴⁹² ex 7314.30.50

7314.41.00 ⁴⁹³	Other cloth, grill, netting or fencing:			
7314.42.00 ⁴⁹⁴	Plated or coated with zinc.....	0.2¢/kg	Free (CA,E,IL,J)	1.1¢/kg
7314.49	Coated with plastics.....	0.2¢/kg	Free (CA,E,IL,J)	1.1¢/kg
7314.49.30 ⁴⁹⁵	Other:			
	Not cut to shape.....	5.7%	Free (A,E,IL,J)	45%
7314.49.60 ⁴⁹⁶	Cut to shape.....	4.7%	1.1% (CA)	
			Free (A,B,E,IL,J)	35%
7314.50.00 ⁴⁹⁷	Expanded metal.....	3.8%	0.9% (CA)	
			Free (A,CA,E,IL,J)	45%"

CHAPTER 74

74-1. Subheadings 7414.10 through 7414.90.00 are superseded by the following:

[Cloth (including endless bands), grill...:]				
"7414.20	Cloth:			
	Fourdrinier wires, seamed or not seamed, suitable for use in paper-making machines:			
7414.20.30 ⁴⁹⁸	With 94 or more wires to the lineal centimeter.....	Free		75%
7414.20.60 ⁴⁹⁹	Other.....	10%	Free (A,E,IL,J)	75%
			2% (CA)	
7414.20.90 ⁵⁰⁰	Other.....	4.1%	Free (A,E,IL,J)	43%
			0.8% (CA)	
7414.90.00 ⁵⁰¹	Other.....	4.9%	Free (A,B,E,IL,J)	43%"
			0.8% (CA)	

74-2. Subheadings 7418.10 through 7418.10.50 are superseded by the following:

[Table, kitchen or other household articles...:]				
"Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like:				
7418.11	Pot scourers and scouring or polishing pads, gloves and the like:			
7418.11.20 ⁵⁰²	Of copper-zinc alloys (brass).....	3.7%	Free (A,E,IL,J)	40%
			0.7% (CA)	
7418.11.40 ⁵⁰³	Other.....	4.9%	Free (A,E,IL,J)	40%
			0.9% (CA)	

493	no change
494	no change
495	no change
496	no change
497	no change
498	ex 7414.10.30
499	ex 7414.10.60
500	ex 7414.10.90
501	no change
502	ex 7418.10.20
503	ex 7418.10.50

7418.19	Other:			
7418.19.10 ⁵⁰⁴	Coated or plated with precious metals.....	4%	Free (A,E,IL,J) 0.8% (CA)	50%
7418.19.20 ⁵⁰⁵	Other: Of copper-zinc base alloys (brass).....	3.7%	Free (A,E,IL,J) 0.7% (CA)	40%
7418.19.50 ⁵⁰⁶	Other.....	4.9%	Free (A,E,IL,J) 0.9%	40%

CHAPTER 75

75-1. The following new subheading note 2 to chapter 75 is added:

- "2. Notwithstanding the provisions of note 1 (c), for the purposes of subheading 7508.10 the term "wire" applies only to products, whether or not in coils, of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm."

75-2. Heading 7508 and subheadings 7508.00.10 and 7508.00.50 are superseded by the following:

"7508	Other articles of nickel:			
7508.10.00 ⁵⁰⁷	Cloth, grill and netting, of nickel wire.....	5.5%	Free (A,B,E,IL,J) 1.1% (CA)	45%
7508.90	Other:			
7508.90.10 ⁵⁰⁸	Stranded wire.....	4.7%	Free (A,B,E,IL,J) 0.9% (CA)	35%
7508.90.50 ⁵⁰⁹	Other.....	5.5%	Free (A,B,E,IL,J) 1.1% (CA)	45%

CHAPTER 76

76-1. The following new subheading note 2 to chapter 76 is added:

- "2. Notwithstanding the provisions of note 1 (c), for the purposes of subheading 7616.91 the term "wire" applies only to products, whether or not in coils, of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm."

⁵⁰⁴	ex	7418.10.10
⁵⁰⁵	ex	7418.10.20
⁵⁰⁶	ex	7418.10.50
⁵⁰⁷	ex	7508.00.50
⁵⁰⁸	ex	7508.00.10
⁵⁰⁹	ex	7508.00.50

76-2. Subheading 7615.10 is superseded by the following:

[Table, kitchen or other household articles...:]			
"Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like:			
7615.11.00 ⁵¹⁰	Pot scourers and scouring or polishing pads, gloves and the like.....	3.8%	Free (A,E,IL,J) 45.5% 0.7% (CA)
7615.19	Other:		
	Cooking and kitchen ware:		
	Enameled or glazed or containing nonstick interior finishes:		
7615.19.10 ⁵¹¹	Cast.....	3.9%	Free (A,E,IL,J) 45.5% 0.7% (CA)
7615.19.30 ⁵¹²	Other.....	5.7%	Free (A,E,IL,J) 45.5% 1.1% (CA)
	Not enameled or glazed and not containing nonstick interior finishes:		
7615.19.50 ⁵¹³	Cast.....	3.9%	Free (A,E,IL,J) 45.5% 0.7% (CA)
7615.19.70 ⁵¹⁴	Other.....	4%	Free (A,E,IL,J) 45.5% 0.8% (CA)
7615.19.80 ⁵¹⁵	Other.....	3.8%	Free (A,E,IL,J) 45.5% 0.7% (CA)

76-3. Subheading 7616.90.00 is superseded by the following:

[Other articles of aluminum:]			
"Other:			
7616.91.00 ⁵¹⁶	Cloth, grill, netting and fencing, of aluminum wire.....	5.7%	Free (A,B,E,IL,J) 45% 1.1% (CA)
7616.99.00 ⁵¹⁷	Other.....	5.7%	Free (A,B,E,IL,J) 45% 1.1% (CA)

CHAPTER 79

79-1. Heading 7907 is renumbered as 7907.00 and subheadings 7907.10.00 through 7907.90.60 are superseded by the following:

[Other articles of zinc:]			
7907.00.10 ⁵¹⁸	Articles of a type used for household, table or kitchen use; toilet and sanitary wares; all the foregoing and parts thereof of zinc...	3.4%	Free (A,E,IL,J) 40% 0.6% (CA)
7907.00.90 ⁵¹⁹	Other.....	5.7%	Free (A,B,E,IL,J) 45% 1.1% (CA)

-
- ⁵¹⁰ ex 7615.10.90
 - ⁵¹¹ ex 7615.10.10
 - ⁵¹² ex 7615.10.30
 - ⁵¹³ ex 7615.10.50
 - ⁵¹⁴ ex 7615.10.70
 - ⁵¹⁵ ex 7615.10.90
 - ⁵¹⁶ ex 7616.90.00
 - ⁵¹⁷ ex 7616.90.00
 - ⁵¹⁸ ex 7907.90.30
 - ⁵¹⁹ ex 7907.10.00, 7907.90.60

CHAPTER 80

80-1. Heading 8005 is renumbered as 8005.00 and subheadings 8005.10.00 and 8005.20.00 are renumbered as 8005.00.10 and 8005.00.20, respectively.

CHAPTER 82

82-1. Subheadings 8202.31.00 (and the superior text thereto) and 8202.32.00 are superseded by the following:

[Handsaws and metal parts thereof; blades...]			
"Circular saw blades (including slitting			
or slotting saw blades) and parts thereof:			
8202.31.00 ⁵²⁰	With working part of steel.....	3.1%	Free (A,CA,E, IL,J) 25%
8202.39.00 ⁵²¹	Other, including parts.....	3.1%	Free (A,CA,E, IL,J) 25%"

82-2. Subheading 8207.11.00 is redesignated as 8207.13.00, and the article description of that subheading is superseded by the following:

"With working part of cermets"

82-3. Subheading 8207.12 is redesignated as 8207.19 and the article description of that subheading is superseded by the following:

"Other, including parts:"

82-4. Subheadings 8207.12, 8207.12.30 and 8207.12.60 are redesignated as 8207.19, 8207.19.30 and 8207.19.60, respectively.

82-5. The article description of heading 8209.00.00 is modified by deleting the expression "sintered metal carbides or".

82-6. The article descriptions of subheadings 8211.91 and 8211.92 are modified by deleting the expression ", and parts thereof".

82-7. The article description of subheading 8211.91.60 is modified by deleting the expression "(including parts)".

82-8. The article description of subheading 8211.93.00 is modified by deleting the expression ", and parts thereof (except blades)".

⁵²⁰ ex 8202.31.00

⁵²¹ ex 8202.32.00

82-9. The following new subheading is inserted in numerical order:

[Knives with cutting blades, serrated or not...:]			
[Other:]			
"8211.95		Handles of base metal:	
8211.95.10 ⁵²²		For knives having fixed blades.....	0.4¢ each + 6.1%
8211.95.50 ⁵²³		Other.....	3¢/each + 5.4% (CA)
			Free (A,E,IL,J) 1.2% (CA)
			Free (A,E,IL,J) 0.5¢ each + 0.9% (CA)
			8¢ each + 45%
			35¢ each + 55%"

SECTION XVI

XVI-1. Subparagraph (o) of note 1 to section XVI is superseded by the following:

"(o) Interchangeable tools of heading 8207 or brushes of a kind used as parts of machines (heading 9603); or"

XVI-2. Subparagraph (a) of note 2 to section XVI is modified by deleting the expression "(other than headings 8485 and 8548)" and inserting the expression "(other than headings 8409, 8431, 8448, 8466, 8473, 8485, 8503, 8522, 8529, 8538 and 8548)" in lieu thereof.

XVI-3. Subparagraph (b) of note 2 to section XVI is modified by deleting the expression "of that kind" and inserting the expression "of that kind or in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538 as appropriate".

XVI-4. Subparagraph (c) of note 2 to section XVI is superseded by the following:

"(c) All other parts are to be classified in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538 as appropriate or, failing that, in heading 8485 or 8548."

CHAPTER 84⁵²⁴

84-1. Subparagraph (b) of note 1 to chapter 84 is superseded by the following:

"(b) Machinery or appliances (for example, pumps) of ceramic material and ceramic parts of machinery or appliances of any material (chapter 69);"

⁵²² ex 8211.91.60, 8211.92.80

⁵²³ ex 8211.93.00

⁵²⁴ The proposals in braces ("{}") and numbered as 84-27, 84-30, and 84-31 in the May 14 document were not approved by the HSC and were therefore deleted.

84-2. The following new last paragraph of note 2 to chapter 84 is inserted:

"Heading 8424 does not cover:

Ink-jet printing machines (heading 8443 or 8471)."

84-3. Note 4 to chapter 84 is superseded by the following:

"4. Heading 8457 applies only to machine tools for working metal, other than lathes (including turning centers), which can carry out different types of machining operations either:

- (a) by automatic tool change from a magazine or the like in conformity with a machining program (machining centers),
- (b) by the automatic use, simultaneously or sequentially, of different unit heads working on a fixed position workpiece (unit construction machines, single station), or
- (c) by the automatic transfer of the workpiece to different unit heads (multistation transfer machines)."

84-4. Subparagraph (B) and the final paragraph of note 5 to chapter 84 are superseded by the following:

"(B) Automatic data processing machines may be in the form of systems consisting of a variable number of separate units. Subject to paragraph (E) below, a unit is to be regarded as being a part of a complete system if it meets all the following conditions:

- (a) It is of a kind solely or principally used in an automatic data processing system;
 - (b) It is connectable to the central processing unit either directly or through one or more other units; and
 - (c) It is able to accept or deliver data in a form (codes or signals) which can be used by the system.
- (C) Separately presented units of an automatic data processing machine are to be classified in heading 8471.
- (D) Printers, keyboards, X-Y coordinate input devices and disk storage units which satisfy the conditions of paragraphs (B)(b) and (B)(c) above, are in all cases to be classified as units of heading 8471.
- (E) Machines performing a specific function other than data processing and incorporating or working in conjunction with an automatic data processing machine are to be classified in the headings appropriate to their respective functions or, failing that, in residual headings."

84-5. The following new note 8 to chapter 84 is inserted:

- "8. For the purposes of heading 8470, the term "pocket-size" applies only to machines the dimensions of which do not exceed 170 mm x 100 mm x 45 mm."

84-6.⁵²⁵ Subheading note 1 to chapter 84 is renumbered as 2, the superior text is modified to read "Subheading Notes", and the following new subheading note 1 is inserted:

- "1. For the purposes of subheading 8471.49, the term "systems" means automatic data processing machines whose units satisfy the conditions laid down in note 5(B) to chapter 84 and which comprise at least a central processing unit, one input unit (e.g., a keyboard or a scanner), and one output unit (e.g., a visual display unit or a printer)."

84-7. Subheadings 8406.11 (and the superior text thereto), 8406.11.10, 8406.11.90, 8406.19, 8406.19.10 and 8406.19.90 are superseded by the following:

[Steam turbines and other vapor turbines....]				
"8406.10	Turbines for marine propulsion:			
8406.10.10 ⁵²⁶	Steam turbines.....	7.5%	Free (A,CA,E, IL,J)	20%
8406.10.90 ⁵²⁷	Other.....	4.5%	Free (A,CA,E, IL,J)	27.5%
Other turbines:				
Of an output exceeding 40 MW:				
8406.81	Of an output exceeding 40 MW:			
8406.81.10 ⁵²⁸	Steam turbines.....	7.5%	Free (A,CA,E, IL,J)	20%
8406.81.90 ⁵²⁹	Other.....	4.5%	Free (A,CA,E, IL,J)	27.5%
Of an output not exceeding 40 MW:				
8406.82	Of an output not exceeding 40 MW:			
8406.82.10 ⁵³⁰	Steam turbines.....	7.5%	Free (A,CA,E, IL,J)	20%
8406.82.90 ⁵³¹	Other.....	4.5%	Free (A,CA,E, IL,J)	27.5% ["]

⁵²⁵ Hitachi America, Ltd., in a written submission, expressed its concern that under this proposal, the classification of an individual component (e.g., a keyboard) would vary depending upon whether it is imported separately or as part of a "system." The Commission recognizes that this and related proposals may create some additional administrative burden both for importers and for Customs, but these proposals come directly from the CCC's article 16 recommendation; further modifications would require future CCC action.

⁵²⁶ ex 8406.11.10
⁵²⁷ ex 8406.11.90
⁵²⁸ ex 8406.19.10
⁵²⁹ ex 8406.19.90
⁵³⁰ ex 8406.19.10
⁵³¹ ex 8406.19.90

84-8. The following new subheading 8415.20.00 is inserted in numerical order:

"8415.20.00 ⁵³²	[Air conditioning machines...] Of a kind used for persons, in motor vehicles.....	2.2%	Free (A,B,C,CA,E 35% IL,J)
----------------------------	---	------	-------------------------------

84-9. The article description of heading 8422 is superseded by the following:

"Dishwashing machines; machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labeling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages; parts thereof:"

84-10. The article description of subheading 8422.30 is superseded by the following:

"Machinery for filling, closing, sealing or labeling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; machinery for aerating beverages:"

84-11. The article description of subheading 8422.40 is superseded by the following:

"Other packing or wrapping machinery (including heat-shrink wrapping machinery):"

84-12. The article description of heading 8443 is superseded by the following:

"Printing machinery, including ink-jet printing machines, other than those of heading 8471; machines for uses ancillary to printing; parts thereof:"

⁵³² ex 8415.83.0040

84-13. Subheadings 8443.50, 8443.50.10 and 8443.50.50 are superseded by the following:

[Printing machinery, including ink-jet....]					
"Other printing machinery:					
Ink-jet printing machines:					
8443.51					
8443.51.10 ⁵³³	Textile printing machinery.....	5.1%	Free (A,CA,E, IL,J)	40%	
8443.51.50 ⁵³⁴	Other.....	3.3%	Free (A,CA,E, IL,J)	25%	
Other:					
8443.59					
8443.59.10 ⁵³⁵	Textile printing machinery.....	5.1%	Free (A,CA,E, IL,J)	40%	
8443.59.50 ⁵³⁶	Other.....	3.3%	Free (A,CA,E, IL,J)	25%"	

84-14. Subheadings 8456.90, 8456.90.10 and 8456.90.50 are superseded by the following:

[Machine tools for working any material....]					
"Other:					
For dry-etching patterns on semiconductor materials.....					
8456.91.00 ⁵³⁷		3%	Free (A,CA,E, IL,J)	35%	
Other:					
8456.99					
8456.99.10 ⁵³⁸	For working metal.....	4.4%	Free (A,CA,E, IL,J)	30%	
8456.99.50 ⁵³⁹	Other.....	3%	Free (A,CA,E, IL,J)	35%"	

84-15. The article description of heading 8458 is modified by inserting the expression "(including turning centers)" after the word "Lathes".

84-16. The article description of heading 8459 is modified by inserting the expression "(including turning centers)" after the word "lathes".

84-17. The article description of heading 8460 is modified by deleting the expression ", sintered metal carbides".

84-18. The article description of heading 8461 is modified by deleting the expression ", sintered metal carbides".

84-19. The article description of heading 8463 is modified by deleting the expression ", sintered metal carbides".

84-20. The article description of heading 8467 is modified by inserting the expression ", hydraulic" after the word "pneumatic".

⁵³³ ex 8443.50.10
⁵³⁴ ex 8443.50.50
⁵³⁵ ex 8443.50.10
⁵³⁶ ex 8443.50.50
⁵³⁷ ex 8456.90.50
⁵³⁸ ex 8456.90.10
⁵³⁹ ex 8456.90.50

84-21. The article description of heading 8469 is superseded by the following:

"Typewriters other than printers of heading 8471; word processing machines:"

84-22. Subheadings 8469.10.00 through 8469.39.00 are superseded by the following:

[Typewriters and word processing machines:]				
"Automatic typewriters and word processing machines:"				
8469.11.00 ⁵⁴⁰	Word processing machines.....	2.2%	Free (A,CA,E, IL,J)	35%
8469.12.00 ⁵⁴¹	Automatic typewriters.....	2.2%	Free (A,CA,E, IL,J)	35%
8469.20.00 ⁵⁴²	Other typewriters, electric.....	Free		Free
8469.30.00 ⁵⁴³	Other typewriters, nonelectric.....	Free		Free"

84-23. The article description of heading 8470 is superseded by the following:

"Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers:"

84-24. The article description of subheading 8470.10.00 is modified by deleting the expression "external source of power" and inserting the expression "external source of electric power and pocket-size data recording, reproducing and displaying machines with calculating functions" in lieu thereof.

84-25. Subheadings 8471.20.00 through 8471.99.90 are superseded by the following:

[Automatic data processing machines...:]				
"8471.30.00 ⁵⁴⁴	Portable digital automatic data processing machines, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display.....	3.9%	Free (A,C,CA,E, IL,J)	35%
Other digital automatic data processing machines:				
8471.41.00 ⁵⁴⁵	Comprising in the same housing at least a central processing unit and an input and output unit, whether or not combined.....	3.9%	Free (A,C,CA,E, IL,J)	35%
8471.49	Other, entered in the form of systems:			
8471.49.10 ⁵⁴⁶	Digital processing units entered with the rest of a system, whether or not containing in the same housing one or two of the following types			

⁵⁴⁰ ex 8469.10.00
⁵⁴¹ ex 8469.10.00
⁵⁴² ex 8469.21.00, 8469.29.00
⁵⁴³ ex 8469.31.00, 8469.39.00
⁵⁴⁴ ex 8471.20.00
⁵⁴⁵ ex 8471.20.00
⁵⁴⁶ ex 8471.91.00

	of unit: storage units, input units, output units.....	3.9%	Free (A,C,CA,E, IL,J)	35%
	Input or output units, entered with the rest of a system, whether or not containing storage units in the same housing:			
8471.49.20 ⁵⁴⁷	Keyboards.....	Free		35%
8471.49.30 ⁵⁴⁸	Display units, without cathode-ray tube (CRT), having a visual display diagonal not exceeding 30.5 cm.....	Free		35%
8471.49.40 ⁵⁴⁹	Other.....	3.7%	Free (A,C,CA,E, IL,J)	35%
8471.49.50 ⁵⁵⁰	Storage units, entered with the rest of a system.....	3.7%	Free (A,C,CA,E, IL,J)	35%
	Other units of automatic data processing machines, entered with the rest of a system:			
8471.49.60 ⁵⁵¹	Control or adapter units.....	Free		35%
8471.49.70 ⁵⁵²	Power supplies.....	3%	Free (A*,CA,E, IL,J)	35%
8471.49.90 ⁵⁵³	Other.....	3.7%	Free (A,CA,E, IL,J)	35%
8471.50.00 ⁵⁵⁴	Digital processing units other than those of subheadings 8471.41 and 8471.49, whether or not containing in the same housing one or two of the following types of unit: storage units, input units, output units.....	3.9%	Free (A,C,CA,E, IL,J)	35%
8471.60	Input or output units, whether or not containing storage units in the same housing:			
8471.60.10 ⁵⁵⁵	Combined input/output units.....	3.7%	Free (A,C,CA,E, IL,J)	35%
	Other:			
8471.60.20 ⁵⁵⁶	Keyboards.....	Free		35%
8471.60.30 ⁵⁵⁷	Display units: Without cathode-ray tube (CRT), having a visual display diagonal not exceeding 30.5 cm.....	Free		35%
8471.60.40 ⁵⁵⁸	Other.....	3.7%	Free (A*,C,CA,E, IL,J)	35%

-
- ⁵⁴⁷ ex 8471.92.20
⁵⁴⁸ ex 8471.92.30
⁵⁴⁹ ex 8471.92.10, 8471.92.40, 8471.92.65, 8471.92.90
⁵⁵⁰ ex 8471.93.20, 8471.93.40, 8471.93.60
⁵⁵¹ ex 8471.99.15
⁵⁵² ex 8471.99.34
⁵⁵³ ex 8471.99.90
⁵⁵⁴ ex 8471.91.00
⁵⁵⁵ ex 8471.92.10
⁵⁵⁶ ex 8471.92.20
⁵⁵⁷ ex 8471.92.30
⁵⁵⁸ ex 8471.92.40

8471.60.50 ⁵⁵⁹	Printer units: Assembled units incorporating at least the media transport, control and print mechanisms...	3.7%	Free (A,C,CA,E, IL,J)	35%
8471.60.60 ⁵⁶⁰	Other.....	Free		35%
8471.60.70 ⁵⁶¹	Other: Units suitable for physical incorporation into automatic data processing machines or units thereof.....	Free		35%
8471.60.90 ⁵⁶²	Other.....	3.7%	Free (A,C,CA,E, IL,J)	35%
8471.70	Storage units: Magnetic disk drive units: For a disk of a diameter exceeding 21 cm:			
8471.70.10 ⁵⁶³	Without read-write unit assembled therein; read-write units entered separately.....	Free		35%
8471.70.20 ⁵⁶⁴	Units for physical incorporation into automatic data processing machines or units thereof.....	Free		35%
8471.70.30 ⁵⁶⁵	Other.....	3.7%	Free (A,C,CA,E, IL,J)	35%
8471.70.40 ⁵⁶⁶	Other: Not assembled in cabinets, and without attached external power supply.....	Free		35%
8471.70.50 ⁵⁶⁷	Other.....	3.7%	Free (A,C,CA,E, IL,J)	35%
8471.70.60 ⁵⁶⁸	Other storage units: Not assembled in cabinets for placing on a table, desk, wall, floor or similar place.....	Free		35%
8471.70.90 ⁵⁶⁹	Other.....	3.7%	Free (A,C,CA,E, IL,J)	35%

⁵⁵⁹ ex 8471.92.65
⁵⁶⁰ ex 8471.92.70
⁵⁶¹ ex 8471.92.80
⁵⁶² ex 8471.92.90
⁵⁶³ ex 8471.93.10
⁵⁶⁴ ex 8471.93.15
⁵⁶⁵ ex 8471.93.20
⁵⁶⁶ ex 8471.93.30
⁵⁶⁷ ex 8471.93.40
⁵⁶⁸ ex 8471.93.50
⁵⁶⁹ ex 8471.93.60

8471.80	Other units of automatic data processing machines:			
8471.80.10 ⁵⁷⁰	Control or adapter units.....	Free		35%
8471.80.20 ⁵⁷¹	Power supplies: Units suitable for physical incorporation into automatic data processing machines.....	Free		35%
8471.80.30 ⁵⁷²	Other.....	3%	Free (A*,CA,E, 1L,J)	35%
8471.80.40 ⁵⁷³	Other: Units suitable for physical incorporation into automatic data processing machines.....	Free		35%
8471.80.90 ⁵⁷⁴	Other.....	3.7%	Free (A,CA,E, 1L,J)	35%
8471.90.00 ⁵⁷⁵	Other.....	3.7%	Free (A,CA,E, 1L,J)	35%"

84-26. The following new subheading 8473.50.00 is inserted after subheading 8473.40.40:

"8473.50.00 ⁵⁷⁶	[Parts and accessories...:] Parts and accessories equally suitable for use with machines of two or more of the headings 8469 to 8472.....	3.9%	Free (A,CA,E, 1L,J)	35%"
----------------------------	--	------	------------------------	------

84-27. Subheading 8475.20 is superseded by the following:

"8475.21.00 ⁵⁷⁷	[Machines for assembling electric...:] Machines for manufacturing or hot working glass or glassware: Machines for making optical fibers and preforms thereof.....	3.9%	Free (A,CA,E, 1L,J)	35%
8475.29.00 ⁵⁷⁸	Other.....	3.9%	Free (A,CA,E, 1L,J)	35%"

84-28. Subheadings 8476.11.00 (and the superior text thereto) and 8476.19.00 are superseded by the following:

8476.21.00 ⁵⁷⁹	[Automatic goods-vending machines...:] "Automatic beverage-vending machines: Incorporating heating or refrigerating devices.....	3.9%	Free (A,CA,E, 1L,J)	35%
8476.29.00 ⁵⁸⁰	Other.....	3.9%	Free (A,CA,E, 1L,J)	35%

-
- ⁵⁷⁰ ex 8471.99.15
 - ⁵⁷¹ ex 8471.99.32
 - ⁵⁷² ex 8471.99.34
 - ⁵⁷³ ex 8471.99.60
 - ⁵⁷⁴ ex 8471.99.90
 - ⁵⁷⁵ ex 8471.99.90
 - ⁵⁷⁶ ex 8473.10.00-.40.40
 - ⁵⁷⁷ ex 8475.20.00
 - ⁵⁷⁸ ex 8475.20.00
 - ⁵⁷⁹ ex 8476.11.00
 - ⁵⁸⁰ ex 8476.19.00

8476.81.00 ⁵⁸¹	Other machines: Incorporating heating or refrigerating devices.....	3.9%	Free (A,CA,E, IL,J)	35%
8476.89.00 ⁵⁸²	Other.....	3.9%	Free (A,CA,E, IL,J)	35%"

84-29. The following new subheadings are inserted in numerical order:

"8479.50.00 ⁵⁸³	[Machines and mechanical appliances....] Industrial robots, not elsewhere specified or included.....	3.7%	Free (A,B,CA,E, IL,J)	35%
8479.60.00 ⁵⁸⁴	Evaporative air coolers.....	4.2%	Free (A,CA,E, IL,J)	40%"

84-30. The article description of heading 8483 is modified by deleting the expression "ball screws;" and inserting the expression "ball or roller screws;" in lieu thereof.

84-31. The article description of subheading 8483.40 is modified by deleting the expression "ball screws;" and inserting the expression "ball or roller screws;" in lieu thereof.

84-32. The article description of heading 8484 is modified by inserting the expression "; mechanical seals" after the expression "similar packings".

84-33. The following new subheading 8484.20.00 is inserted in numerical order:

"8484.20.00 ⁵⁸⁵	[Gaskets and similar joints of metal...] Mechanical seals.....	5.7%	Free (A,B,CA,E, IL,J)	45%"
----------------------------	---	------	--------------------------	------

CHAPTER 85⁵⁸⁶

85-1. The first sentence of the second paragraph of note 4 to chapter 85 is superseded by the following:

"The expression "printed circuits" does not cover circuits combined with elements other than those obtained during the printing process, nor does it cover individual, discrete resistors, capacitors or inductances."

⁵⁸¹ ex 8476.11.00

⁵⁸² ex 8476.19.00

⁵⁸³ ex 8479.89.9040

⁵⁸⁴ ex 8479.89.60

⁵⁸⁵ ex 8485.90.00 and various other provisions covering parts of machinery

⁵⁸⁶ The proposal in braces ("()") and numbered as 85-16 and 85-25 in the May 14 document were not approved by the HSC and were therefore deleted.

85-2. The following new note 7 to chapter 85 is inserted:

"7. For the purposes of heading 8548, spent primary cells, spent primary batteries and spent electric storage batteries are those which are neither usable as such because of breakage, cutting up, wear or other reasons, nor capable of being recharged."

85-3. The following new subheading note 1 to chapter 85 is inserted:

"Subheading note

1. Subheadings 8519.92 and 8527.12 cover only cassette players with built-in amplifier, without built-in loudspeaker, capable of operating without an external source of electric power and the dimensions of which do not exceed 170 mm x 100 mm x 45 mm."

85-4. Subheading 8502.30 is superseded by the following:

[Electric generating sets...:]			
"Other generating sets:			
8502.31.00 ⁵⁸⁷	Wind-powered.....	3%	Free (A,B,C,CA, E,IL,J) 35%
8502.39.00 ⁵⁸⁸	Other.....	3%	Free (A,B,C,CA, E,IL,J) 35%"

85-5. Heading 8506 and subheadings 8506.11.00 (and the superior text thereto) through 8506.90.00 are superseded by the following:

"8506 Primary cells and primary batteries; parts thereof:			
8506.10.00 ⁵⁸⁹	Manganese dioxide.....	5.3%	Free (A,E,IL,J) 35% 1% (CA)
8506.30	Mercuric oxide:		
8506.30.10 ⁵⁹⁰	Having an external volume not exceeding 300 cm ³	5.3%	Free (A,CA,E, IL,J) 35%
8506.30.10 ⁵⁹¹	Other.....	5.3%	Free (A,E,IL,J) 35% 1% (CA)
8506.40	Silver oxide:		
8506.40.10 ⁵⁹²	Having an external volume not exceeding 300 cm ³	5.3%	Free (A,CA,E, IL,J) 35%
8506.40.10 ⁵⁹³	Other.....	5.3%	Free (A,E,IL,J) 35% 1% (CA)
8506.50.00 ⁵⁹⁴	Lithium.....	5.3%	Free (A,E,IL,J) 35% 1% (CA)

⁵⁸⁷ ex 8502.30.00
⁵⁸⁸ ex 8502.30.00
⁵⁸⁹ ex 8506.11.00, 8506.20.00
⁵⁹⁰ ex 8506.12.00
⁵⁹¹ ex 8506.20.00
⁵⁹² ex 8506.13.00
⁵⁹³ ex 8506.20.00
⁵⁹⁴ ex 8506.19.00, 8506.20.00

8506.60.00 ⁵⁹⁵	Air-zinc.....	5.3%	Free (A,E,IL,J) 1% (CA)	35%
8506.80.00 ⁵⁹⁶	Other.....	5.3%	Free (A,E,IL,J) 1% (CA)	35%
8506.90.00 ⁵⁹⁷	Parts.....	5.3%	Free (A,E,IL,J) 1% (CA)	35%"

85-6. The article description of heading 8510 is superseded by the following:

"Shavers, hair clippers and hair-removing appliances, with self-contained electric motor; parts thereof:"

85-7. The following new subheading 8510.30.00 is inserted in numerical order:

"8510.30.00 ⁵⁹⁸	[Shavers, hair clippers and hair-removing...:] Hair-removing appliances.....	4.2%	Free (A,E,IL,J) 0.8% (CA)	40%"
----------------------------	---	------	------------------------------	------

85-8. The article description of heading 8515 is modified by deleting the expression "sintered metal carbides" and inserting the word "cermets" in lieu thereof.

85-9. The article description of heading 8517 is superseded by the following:

"Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones; parts thereof:"

85-10. Subheading 8517.10 is superseded by the following:

	[Electrical apparatus for line telephony...:]			
8517.11.00 ⁵⁹⁹	"Telephone sets; videophones: Line telephone sets with cordless handsets.....	6%	Free (A,B,C,CA,E, IL,J)	35%
8517.19.00 ⁶⁰⁰	Other.....	8.5%	Free (A*,B,CA,E, IL,J)	35%"

⁵⁹⁵ ex 8506.19.00, 8506.20.00

⁵⁹⁶ ex 8506.19.00, 8506.20.00

⁵⁹⁷ no change

⁵⁹⁸ ex 8509.80.00

⁵⁹⁹ ex 8525.20.50; submissions from Customs, AT&T, and Panasonic all

indicated that the Commission's May 14 proposal with respect to duty rates applicable to these telephones did not reflect existing Customs practice; this is a corrected version.

⁶⁰⁰ ex 8517.10.00

85-11. Subheading 8517.20 is superseded by the following:

[Electrical apparatus...:]				
"Facsimile machines and teleprinters:				
8517.21.00 ⁶⁰¹	Facsimile machines.....	4.7%	Free (A,CA,E, IL,J)	35%
8517.22.00 ⁶⁰²	Teleprinters.....	4.7%	Free (A,CA,E, IL,J)	35%"

85-12. Subheadings 8517.40, 8517.40.10, 8517.40.50 and 8517.40.70 are renumbered as 8517.50, 8517.50.10, 8517.50.50 and 8517.50.70, respectively; the article description of subheading 8517.40 (new 8517.50) is modified by deleting the expression "systems:" and inserting the expression "systems or for digital line systems:" in lieu thereof.

85-13. Subheadings 8517.81.00 (and the superior text thereto) and 8517.82.00 are deleted and the following is inserted in lieu thereof:

[Electrical apparatus...:]				
"Other apparatus:				
8517.80.10 ⁶⁰³	Telephonic.....	8.5%	Free (A,B,CA,E, IL,J)	35%
8517.80.20 ⁶⁰⁴	Telegraphic.....	4.7%	Free (A,CA,E, IL,J)	35%"

85-14. The article description of subheading 8517.90.55 is modified by deleting the expression "8517.40.10" and inserting the expression "8517.50.10" in lieu thereof.

85-15. Subheading 8519.91.00 is superseded by the following:

[Turntables, record players, cassette players...:]				
[Other sound reproducing apparatus:]				
8519.92.00 ⁶⁰⁵	Pocket-size cassette players.....	3.7%	Free (A,B,E,IL,J)	35%
8519.93.00 ⁶⁰⁶	Other, cassette type.....	3.7%	0.7% (CA) Free (A,B,E,IL,J)	35%" 0.7% (CA)

85-16. Subheading 8520.31.00 is superseded by the following:

[Magnetic tape recorders and other sound...:]				
[Other magnetic tape recorders...:]				
8520.32.00 ⁶⁰⁷	Digital audio type.....	3.9%	Free (A,B,E,IL,J)	35%
8520.33.00 ⁶⁰⁸	Other, cassette type.....	3.9%	0.7% (CA) Free (A,B,E,IL,J)	35%" 0.7% (CA)

⁶⁰¹ ex 8517.82.0040
⁶⁰² ex 8517.20.00
⁶⁰³ ex 8517.81.00
⁶⁰⁴ ex 8517.82.00
⁶⁰⁵ ex 8519.91.00
⁶⁰⁶ ex 8519.91.00
⁶⁰⁷ ex 8520.31.00
⁶⁰⁸ ex 8520.31.00

85-17. The article description of heading 8522 is superseded by the following:

"Parts and accessories suitable for use solely or principally with the apparatus of headings 8519 to 8521:"

85-18. The following new subheading 8523.30.00 is inserted in numerical order:

[Prepared unrecorded media for sound...:]			
"8523.30.00 ⁶⁰⁹	Cards incorporating a magnetic stripe.....	4.2%	Free (A,E,IL,J) 0.8% (CA) 80%"

85-19. Subheadings 8524.10.00 through 8524.90.40 are superseded by the following:

[Records, tapes and other recorded media...:]			
"8524.10.00 ⁶¹⁰	Phonograph records.....	3.7%	Free (A,E,IL,J) 0.7% (CA) 30%
Discs for laser reading systems:			
8524.31.00 ⁶¹¹	For reproducing phenomena other than sound or image.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA) 86.1€/m ² of record- ing surface
8524.32.00 ⁶¹²	For reproducing sound only.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA) 86.1€/m ² of record- ing surface
8524.39.00 ⁶¹³	Other.....	5.3%	Free (A,E,IL,J) 1% (CA) 80%
8524.40.00 ⁶¹⁴	Magnetic tapes for reproducing phenomena other than sound or image.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA) 86.1€/m ² of record- ing surface
Other magnetic tapes:			
8524.51	Of a width not exceeding 4 mm:		
8524.51.10 ⁶¹⁵	News sound recordings relating to current events.....	Free	Free
8524.51.30 ⁶¹⁶	Other.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA) 86.1€/m ² of record- ing surface

⁶⁰⁹ ex 8523.90.00
⁶¹⁰ no change
⁶¹¹ ex 8524.90.4080
⁶¹² ex 8524.90.4040
⁶¹³ ex 8524.90.30
⁶¹⁴ ex 8524.21.3080, 8524.22.20, 8524.23.20; combined because rates are
 same for all
⁶¹⁵ ex 8524.21.10
⁶¹⁶ ex 8524.21.30

8524.52	Of a width exceeding 4 mm but not exceeding 6.5 mm:			
8524.52.10 ⁶¹⁷	Video tape recordings.....	0.66€/lin. m	Free (A,E,IL,J) 0.1€/lin. m (CA)	3.3€/lin. m
8524.52.20 ⁶¹⁸	Other.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA)	86.1€/m ² of recording surface
8524.53	Of a width exceeding 6.5 mm:			
8524.53.10 ⁶¹⁹	Video tape recordings.....	0.66€/lin. m	Free (A,E,IL,J) 0.1€/lin. m (CA)	3.3€/lin. m
8524.53.20 ⁶²⁰	Other.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA)	86.1€/m ² of recording surface
8524.60.00 ⁶²¹	Cards incorporating a magnetic stripe.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA)	86.1€/m ² of recording surface
8524.91.00 ⁶²²	Other: For reproducing phenomena other than sound or image.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA)	86.1€/m ² of recording surface
8524.99	Other:			
8524.99.20 ⁶²³	Master records or metal matrices therefrom for use in the production of sound records for export; recordings on wire.....	Free		Free
8524.99.40 ⁶²⁴	Other.....	9.7€/m ² of recording surface	Free (A,E,IL,J) 1.9€/m ² of recording surface (CA)	86.1€/m ² of recording surface

85-20. The article description of heading 8525 is modified by deleting the expression "cameras:" and inserting the following in lieu thereof:

"cameras; still image video cameras or other video camera recorders:"

⁶¹⁷ ex 8524.22.10
⁶¹⁸ ex 8524.22.20
⁶¹⁹ ex 8524.23.10
⁶²⁰ ex 8524.23.20
⁶²¹ ex 8524.90.40
⁶²² ex 8524.90.40
⁶²³ ex 8524.90.20
⁶²⁴ ex 8524.90.40

85-21. The following new subheadings are inserted in numerical order:

[Transmission apparatus for radiotelephony...:]				
"8525.40	Still image video cameras and other			
	video camera recorders:			
8525.40.40 ⁶²⁵	Still image video cameras.....			
8525.40.80 ⁶²⁶	Other.....	4.2%	Free (A,CA,E, IL,J)	35%"

85-22. Subheadings 8527.11 (and the superior text thereto) and 8527.11.11 through 8527.11.60 are superseded by the following:

[Reception apparatus...:]				
[Radiobroadcast receivers capable of...:]				
"8527.12.00 ⁶²⁷	Pocket-size radio cassette players.....	3.7%	Free (A,CA,E, IL,J)	35%
8527.13	Other apparatus combined with sound			
	recording or reproducing apparatus:			
8527.13.11 ⁶²⁸	Combinations incorporating tape			
	players which are incapable of			
	recording.....	3.7%	Free (A,CA,E, IL,J)	35%
	Other:			
8527.13.20 ⁶²⁹	Radio-tape recorder			
	combinations.....	4.9%	Free (CA,E,IL,J)	35%
8527.13.40 ⁶³⁰	Radio-phonograph combinations..	4.4%	Free (CA,E,IL,J)	35%
8527.13.60 ⁶³¹	Other.....	3.7%	Free (A*,CA,E, IL,J)	35%"

85-23. The article description of heading 8528 is superseded by the following:

"Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus; video monitors and video projectors:"

⁶²⁵ Canon U.S.A., Inc. and Customs are currently involved in litigation concerning the existing tariff treatment of these cameras. For that reason, proposed new subheading 8525.40.40 is presented B without proposed duty rates.

⁶²⁶ ex 8525.30.00
⁶²⁷ ex 8527.11.11
⁶²⁸ ex 8527.11.11
⁶²⁹ ex 8527.11.20
⁶³⁰ ex 8527.11.40
⁶³¹ ex 8527.11.60

85-24.⁶³² Subheadings 8528.10, 8528.10.30, 8528.10.60 and 8528.20.00 are superseded by the following:

[Reception apparatus for television....]				
"Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus:				
8528.11.00 ⁶³³	High-definition television (HDTV).....	5%	Free (B,E,IL,J) 1% (CA)	35%
8528.12	Other, color:			
8528.12.40 ⁶³⁴	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL,J) 0.7% (CA)	25%
8528.12.80 ⁶³⁵	Other television receivers.....	5%	Free (B,E,IL,J) 1% (CA)	35%
8528.13.00 ⁶³⁶	Other, black and white or other monochrome.....	5%	Free (B,E,IL,J) 1% (CA)	35%
Video monitors:				
8528.21.00 ⁶³⁷	Color.....	5%	Free (B,E,IL,J) 1% (CA)	35%
8528.22.00 ⁶³⁸	Black and white or other monochrome.....	5%	Free (B,E,IL,J) 1% (CA)	35%
8528.30.00 ⁶³⁹	Video projectors.....	5%	Free (B,E,IL,J) 1% (CA)	35%"

85-25. The article description of heading 8537 is superseded by the following:

"Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of chapter 90, and numerical control apparatus, other than switching apparatus of heading 8517:"

85-26. The following new subheading 8539.32.00 is inserted in numerical order:

[Electrical filament or discharge lamps....]				
[Discharge lamps, other than....]				
"8539.32.00 ⁶⁴⁰	Mercury or sodium vapor lamps; metal halide lamps.....	3.7%	Free (A,E,IL,J) 0.7% (CA)	20%"

⁶³² The Commission's proposals with respect to subheadings 8528.21, 8528.22, and 8528.30 had not been completed in the May 14 document, pending further information; these proposals are now complete.

⁶³³ ex 8528.10.60; subheading 8528.10.30 is not referenced here, because there is no existing technology for combination HDTVs/video recorders; nevertheless, the potential exists for such technology in the future.

⁶³⁴ ex 8528.10.30

⁶³⁵ ex 8528.10.60

⁶³⁶ ex 8528.20.00

⁶³⁷ ex 8528.10.60

⁶³⁸ ex 8528.20.00

⁶³⁹ ex 8528.10.60, 8528.20.00

⁶⁴⁰ ex 8539.39.00

85-27. Subheadings 8539.40, 8539.40.40 and 8539.40.80 are superseded by the following:

[Electrical filament or discharge lamps...:]				
"Ultraviolet or infrared lamps; arc lamps:				
8539.41.00 ⁶⁴¹	Arc lamps.....	3.9%	Free (A,CA,E, IL,J)	35%
8539.49.00 ⁶⁴²	Other.....	3.7%	Free (A,CA,E, IL,J)	35%"

85-28. Subheadings 8540.11.00 (and the superior text thereto) through 8540.49.00 are superseded by the following:

[Thermionic, cold cathode or photocathode...:]				
"Cathode-ray television picture tubes, including video monitor cathode-ray tubes:				
8540.12	Black and white or other monochrome:			
8540.12.40 ⁶⁴³	Television picture tubes having a straight line dimension across the faceplate greater than 29 cm but having no straight line dimension across the faceplate that exceeds 42 cm.....	7.2%	Free (A,B,E,IL,J)	60%
8540.12.80 ⁶⁴⁴	Other.....	6.5%	1.4% (CA) Free (B,E,IL,J)	60%
8540.13.00 ⁶⁴⁵	Color, for high-definition television (HDTV).....	15%	1.3% (CA) Free (B,E,IL,J)	60%
8540.14.00 ⁶⁴⁶	Color, other.....	15%	3% (CA) Free (B,E,IL,J)	60%
8540.20	Television camera tubes; image converters and intensifiers; other photocathode tubes:			
8540.20.20 ⁶⁴⁷	Cathode-ray tubes.....	6%	Free (B,CA,E, IL,J)	35%
8540.20.40 ⁶⁴⁸	Other.....	4.2%	Free (B,CA,E, IL,J)	35%
8540.40.00 ⁶⁴⁹	Data/graphic display tubes, color, with a phosphor dot screen pitch smaller than 0.4 mm.....	6%	Free (B,CA,E, IL,J)	35%
8540.50.00 ⁶⁵⁰	Data/graphic display tubes, black and white or other monochrome.....	6%	Free (B,CA,E, IL,J)	35%
8540.60.00 ⁶⁵¹	Other cathode ray tubes.....	6%	Free (B,CA,E, IL,J)	35%

-
- 641 ex 8539.40.40
 - 642 ex 8539.40.80
 - 643 no change
 - 644 no change
 - 645 ex 8540.11.00
 - 646 ex 8540.11.00
 - 647 no change
 - 648 no change
 - 649 ex 8540.30.00
 - 650 ex 8540.30.00
 - 651 ex 8540.30.00

		Microwave tubes (for example, magnetrons, klystrons, traveling wave tubes, carcinotrons), excluding grid-controlled tubes:			
8540.71		Magnetrons:			
8540.71.20	652	Modified for use as parts of microwave ovens.....	Free		35%
8540.71.40	653	Other.....	4.2%	Free (CA,E,IL,J)	35%
8540.72.00	654	Klystrons.....	4.2%	Free (CA,E,IL,J)	35%
8540.79.00	655	Other.....	4.2%	Free (CA,E,IL,J)	35%"

85-29. Subheadings 8542.11.00 through 8542.90.00 are superseded by the following:

		[Electronic integrated circuits...:]			
		"Monolithic digital integrated circuits:			
8542.12.00	656	Cards incorporating electronic integrated circuits ("smart" cards).....	Free		35%
8542.13.00	657	Metal oxide semiconductors (MOS technologies).....	Free		35%
8542.14.00	658	Bipolar.....	Free		35%
8542.19.00	659	Other, including circuits obtained by a combination of bipolar and MOS technologies.....	Free		35%
8542.30.00	660	Other monolithic integrated circuits.....	Free		35%
8542.40.00	661	Hybrid integrated circuits.....	Free		35%
8542.50.00	662	Electronic microassemblies.....	3.9%	Free (A*,B,CA,E,IL,J)	35%
8542.90.00	663	Parts.....	Free		35%"

85-30. Subheading 8543.10.00 is superseded by the following:

		[Electrical machines and apparatus...:]			
		"Particle accelerators:			
8543.11.00	664	Ion implanters for doping semiconductor materials.....	3.9%	Free (A,CA,E,IL,J)	35%
8543.19.00	665	Other.....	3.9%	Free (A,CA,E,IL,J)	35%"

652 ex 8540.41.20
653 ex 8540.41.40
654 ex 8540.42.00
655 ex 8540.49.00
656 ex 8542.11.00
657 ex 8542.11.00
658 ex 8542.11.00
659 ex 8542.11.00
660 ex 8542.19.00
661 ex 8542.20.00
662 ex 8542.80.00
663 no change
664 ex 8543.10.00
665 ex 8543.10.00

85-31. The following new subheading 8543.40.00 is inserted in numerical order:

[Electrical machines and apparatus...:]				
"8543.40.00 ⁶⁶⁶	Electric fence energizers.....	3.9%	Free (A*,CA,E, IL,J)	35%"

85-32. Subheadings 8543.80 through 8543.80.90 are superseded by the following:

[Electrical machines and apparatus...:]				
"Other machines and apparatus:				
8543.81.00 ⁶⁶⁷	Proximity cards and tags.....	3.9%	Free (A*,CA,E, IL,J)	35%
8543.89	Other:			
8543.89.40 ⁶⁶⁸	Electric synchros and trans- ducers; flight data recorders; defrosters and demisters with electric resistors for aircraft.....	3.9%	Free (A,C,CA,E, IL,J)	35%
8543.89.60 ⁶⁶⁹	Articles designed for connection to telegraphic or telephonic apparatus or instruments or to telegraphic or telephonic networks.....	3.9%	Free (A,B,CA,E, IL,J)	35%
8543.89.70 ⁶⁷⁰	Electric luminescent lamps.....	2%	Free (A,CA,E, IL,J)	20%
8543.89.95 ⁶⁷¹	Other.....	3.9%	Free (A*,B,CA,E, IL,J)	35%"

85-33. The article description of heading 8544 is superseded by the following:

"Insulated (including enameled or anodized) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors:"

85-34. Subheading 8544.70 is deleted.

⁶⁶⁶ ex 8543.80.90
⁶⁶⁷ ex 8543.80.90
⁶⁶⁸ ex 8543.80.40
⁶⁶⁹ ex 8543.80.60
⁶⁷⁰ ex 8543.80.70
⁶⁷¹ ex 8543.80.90

85-35.⁶⁷² Heading 8548.00.00 is superseded by the following:

"8548	Waste and scrap of primary cells, primary batteries and electric storage batteries; spent primary cells, spent primary batteries and spent electric storage batteries; electrical parts of machinery or apparatus, not specified or included elsewhere in this chapter:			
8548.10	Waste and scrap of primary cells, primary batteries and electric storage batteries; spent primary cells, spent primary batteries and spent electric storage batteries:			
	Waste and scrap of primary cells, primary batteries and electric storage batteries:			
8548.10.10 ⁶⁷³	For recovery of lead.....	2.3% on the value of the lead content	Free (A,CA,E, IL,J)	11.5%
8548.10.20 ⁶⁷⁴	Other.....	Free		Free
8548.90.00 ⁶⁷⁵	Other.....	3.9%	Free (A*,B,E, IL,J) 0.7% (CA)	35%"

SECTION XVII

XVII-1. Note 4 to section XVII is superseded by the following:

"4. For the purposes of this section:

- (a) Vehicles specially constructed to travel on both road and rail are classified under the appropriate heading of chapter 87;
- (b) Amphibious motor vehicles are classified under the appropriate heading of chapter 87;
- (c) Aircraft specially constructed so that they can also be used as road vehicles are classified under the appropriate heading of chapter 88."

CHAPTER 87

87-1. Note 2 to chapter 87 is modified by adding the following new second paragraph:

"Machines and working tools designed for fitting to tractors of heading 8701 as interchangeable equipment remain classified in their respective headings even if presented with the tractor, and whether or not mounted on it."

⁶⁷² According AT&T's submission, the Commission's May 14 document proposal for spent batteries did not reflect existing Customs practice. After consultation with Customs, the Commission revised this proposal.

⁶⁷³ ex 7802.00.00

⁶⁷⁴ ex 3823.90, various waste and scrap provisions in ch. 72-81

⁶⁷⁵ ex 8548.00.00

CHAPTER 88

88-1. The following new subheading note to chapter 88 is inserted:

"Subheading Note

1. For the purposes of subheadings 8802.11 to 8802.40, the expression "unladen weight" means the weight of the machine in normal flying order, excluding the weight of crew and of fuel and equipment other than permanently fitted items of equipment."

88-2. The article description of heading 8802 is superseded by the following:

"Other aircraft (for example, helicopters, airplanes); spacecraft (including satellites) and suborbital and spacecraft launch vehicles:"

88-3. The article description of subheading 8802.50 is superseded by the following:

"Spacecraft (including satellites) and suborbital and spacecraft launch vehicles:"

88-4. The article description of heading 8804.00.00 is superseded by the following:

"Parachutes (including dirigible parachutes and paragliders) and rotochutes; parts thereof and accessories thereto"

CHAPTER 90

90-1. Subparagraph (h) of note 1 to chapter 90 is modified--

(a) by inserting the expression "still image video cameras and other video camera recorders (heading 8525);" after the expression "(heading 8522);" and

(b) by deleting the expression "optical fiber cables of heading 8544;"

90-2. The article description of heading 9001 is superseded by the following:

"Optical fibers, optical fiber bundles and optical fiber cables, whether or not fitted with connectors or assembled with electric conductors; switches for optical fibers, splices and other connectors for optical fibers; sheets and plates of polarizing material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked:"

90-3. Subheading 9001.10.00 is superseded by the following:

[Optical fibers and optical fiber bundles...:]				
"Optical fibers, optical fiber bundles and optical fiber cables, whether or not fitted with connectors or assembled with electrical conductors; switches for optical fibers, splices and other connectors for optical fibers:"				
9001.11.00 ⁶⁷⁶	Optical fibers.....	8.4%	Free (A,E,IL,J) 1.6% (CA)	65%
9001.12.00 ⁶⁷⁷	Optical fiber cables, made up of individually sheathed fibers.....	8.4%	Free (A,E,IL,J) 1.6% (CA)	65%
9001.13.00 ⁶⁷⁸	Other optical fiber cables and optical fiber bundles.....	8.4%	Free (A,E,IL,J) 1.6% (CA)	65%
9001.14	Switches for optical fibers, splices and other connectors for optical fibers:			
9001.14.30 ⁶⁷⁹	Switches.....	9%	Free (A,E,IL,J) 1.8% (CA)	45%
	Other:			
9001.14.60 ⁶⁸⁰	Of ceramics.....	8%	Free (A,E,IL,J) 1.6% (CA)	45%
9001.14.90 ⁶⁸¹	Other.....	5.7%	Free (A,B,E, IL,J) 1.1% (CA)	45%"

90-4. Subheading 9007.21 and the superior text thereto are superseded by the following:

"9007.20 Projectors:
For film of less than 16 mm:"

90-5. Subheadings 9007.21.40 and 9007.21.80 are renumbered as 9007.20.20 and 9007.20.40, respectively.

90-6. The numerical subheading code number 9007.29 is deleted; the article description "Other:" is retained.

90-7. Subheadings 9007.29.40 and 9007.29.80 are renumbered as 9007.20.60 and 9007.20.80, respectively.

90-8. The article description of heading 9010 is modified by deleting the expression "apparatus for the projection" and inserting the expression "apparatus for the projection or drawing" in lieu thereof.

⁶⁷⁶ ex 9001.10.00
⁶⁷⁷ ex 8544.70.00
⁶⁷⁸ ex 9001.10.00
⁶⁷⁹ ex 9013.80.60
⁶⁸⁰ ex 6914.90.00
⁶⁸¹ ex 7326.90.90

90-9. Subheadings 9010.20 through 9010.30.00 are superseded by the following:

[Apparatus and equipment for photographic...:]				
"Apparatus for the projection or drawing of circuit patterns on sensitized semiconductor materials:				
9010.41.00 ⁶⁸²	Direct write-on-wafer apparatus.....	3.7%	Free (A,CA,E, IL,J)	35%
9010.42.00 ⁶⁸³	Step and repeat aligners.....	3.7%	Free (A,CA,E, IL,J)	35%
9010.49.00 ⁶⁸⁴	Other.....	3.7%	Free (A,CA,E, IL,J)	35%
9010.50	Other apparatus and equipment for photographic (including cinematographic) laboratories; negatoscopes:			
9010.50.10 ⁶⁸⁵	Contact printers.....	2.2%	Free (A,CA,E, IL,J)	35%
9010.50.20 ⁶⁸⁶	Developing tanks.....	3.8%	Free (A,E,IL,J) 0.7% (CA)	45%
	Photographic film viewers, titlers, splicers and editors, all the foregoing and combinations thereof:			
	Articles containing an optical lens or designed to contain such a lens:			
9010.50.30 ⁶⁸⁷	Editors and combination editor-splicers, for cinematographic film.....	7.8%	Free (A,CA,E, IL,J)	45%
9010.50.40 ⁶⁸⁸	Other.....	9%	Free (A,CA,E, IL,J)	45%
9010.50.50 ⁶⁸⁹	Other.....	4.7%	Free (A,CA,E, IL,J)	35%
9010.50.60 ⁶⁹⁰	Other.....	3.7%	Free (A,CA,E, IL,J)	35%
9010.60.00 ⁶⁹¹	Projection screens.....	4%	Free (A,CA,E, IL,J)	50%"

90-10. The following new subheadings are inserted in numerical order:

[Instruments and appliances used in medical...:]				
[Electrodiagnostic apparatus...:]				
"9018.12.00 ⁶⁹²	Ultrasonic scanning apparatus.....	4.2%	Free (A,CA,E, IL,J)	35%
9018.13.00 ⁶⁹³	Magnetic resonance imaging apparatus.....	4.2%	Free (A,CA,E, IL,J)	35%
9018.14.00 ⁶⁹⁴	Scintigraphic apparatus.....	4.2%	Free (A,CA,E, IL,J)	35%"

682 ex 9010.20.60
 683 ex 9010.20.60
 684 ex 9010.20.60
 685 ex 9010.20.10
 686 ex 9010.20.20
 687 ex 9010.20.30
 688 ex 9010.20.40
 689 ex 9010.20.50
 690 ex 9010.20.60
 691 ex 9010.30.00
 692 ex 9018.19.80
 693 ex 9018.19.80
 694 ex 9018.19.80

90-11. Subheading 9022.11.00 is superseded by the following:

[Apparatus based on the use of X-rays...:]			
[Apparatus based on the use of X-rays...:]			
"9022.12.00 ⁶⁹⁵	Computed tomography apparatus.....	2.1%	Free (A,E,IL,J) 35%
			0.4% (CA)
9022.13.00 ⁶⁹⁶	Other, for dental uses.....	2.1%	Free (A,E,IL,J) 35%
			0.4% (CA)
9022.14.00 ⁶⁹⁷	Other, for medical, surgical or veterinary uses.....	2.1%	Free (A,E,IL,J) 35%
			0.4% (CA)

90-12. Subheadings 9025.20 through 9025.20.80 are deleted.

90-13. The following new subheading 9025.80.15 is inserted in numerical order:

[Hydrometers and similar floating instruments...:]			
[Other instruments:]			
[Other:]			
"9025.80.15 ⁶⁹⁸	Barometers, not combined with other instruments.....	2.8%	Free (A,C,E,IL,J) 40%"
			0.5% (CA)

90-14. Subheadings 9030.81.00 and 9030.89.00 are superseded by the following:

[Oscilloscopes, spectrum analyzers...:]			
[Other instruments and apparatus:]			
"9030.82.00 ⁶⁹⁹	For measuring or checking semiconductor wafers or devices.....	4.9%	Free (A,B,C,E,IL,J) 40%
			0.9% (CA)
9030.83.00 ⁷⁰⁰	Other, with a recording device.....	4.9%	Free (A,B,C,E,IL,J) 40%
			0.9% (CA)
9030.89.00 ⁷⁰¹	Other.....	4.9%	Free (A,B,C,E,IL,J) 40%"
			0.9% (CA)

90-15. Subheading 9031.40.00 is superseded by the following:

[Measuring or checking instruments...:]			
"Other optical instruments and appliances:			
9031.41.00 ⁷⁰²	For inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices.....	10%	Free (A,CA,E,IL,J) 50%
			0.9% (CA)
9031.49.00 ⁷⁰³	Other.....	10%	Free (A,CA,E,IL,J) 50%"
			0.9% (CA)

-
- ⁶⁹⁵ ex 9022.11.00
⁶⁹⁶ ex 9022.11.00
⁶⁹⁷ ex 9022.11.00
⁶⁹⁸ ex 9025.20.80; electrical barometers of existing subheading 9025.20.40
 would be transferred to subheading 9025.80.10, with no change in duty
 treatment.
⁶⁹⁹ ex 9030.81.00, 9030.89.00
⁷⁰⁰ ex 9030.81.00
⁷⁰¹ ex 9030.89.00
⁷⁰² ex 9031.40.00
⁷⁰³ ex 9031.40.00

CHAPTER 91

91-1. The superior text immediately preceding subheading 9101.11 is modified by deleting the expression "battery powered" and inserting the expression "electrically operated" in lieu thereof.

91-2. The article description, "Battery powered:", in subheading 9101.91 is replaced by the article description, "Electrically operated:".

91-3. The superior text immediately preceding subheading 9102.11 is modified by deleting the expression "battery powered" and inserting the expression "electrically operated" in lieu thereof.

91-4. The article description, "Battery powered:", in subheading 9102.91 is replaced by the article description, "Electrically operated:".

91-5. The article description, "Battery powered:", in subheading 9103.10 is replaced by the article description, "Electrically operated:".

91-6. The article description, "Battery or AC powered:", in subheading 9105.11 is replaced by the article description, "Electrically operated:".

91-7. The article description, "Battery or AC powered:", in subheading 9105.21 is replaced by the article description, "Electrically operated:".

91-8. The article description, "Battery or AC powered:", in subheading 9105.91 is replaced by the article description, "Electrically operated:".

91-9. The superior text, "Battery powered:", immediately preceding subheading 9108.11 is replaced by the article description, "Electrically operated:".

91-10. The superior text, "Battery or AC powered:", immediately preceding subheading 9109.11 is replaced by the article description, "Electrically operated:".

CHAPTER 95

95-1. Subheading (m) of note 1 to chapter 95 is superseded by the following:

"(m) Pumps for liquids (heading 8413), filtering or purifying machinery and apparatus for liquids or gases (heading 8421), electric motors (heading 8501), electric transformers (heading 8504) or radio remote control apparatus (heading 8526);"

CHAPTER 96

96-1. Subheading 9614.10.00 is deleted.

96-2. Subheadings 9614.90.40 and 9614.90.80 are superseded by the following:

[Smoking pipes (including pipe bowls)...:]				
[Other:]				
"9614.90.10 ⁷⁰⁴	Roughly shaped blocks of wood or root, for the manufacture of pipes.....	Free		10%
Other:				
9614.90.40 ⁷⁰⁵	Of metal.....	7.2%	Free (A,E,IL,J) 1.4% (CA)	110%
9614.90.80 ⁷⁰⁶	Other.....	0.5¢ each + 3%	Free (A,E,IL,J) 0.1¢ each + 0.6% (CA)	5¢ each + 60%"

CHAPTER 97

97-1. Note 3 to chapter 97 is superseded by the following:

3. "Heading 9703 does not apply to mass-produced reproductions or works of conventional craftsmanship of a commercial character, even if these articles are designed or created by artists."

⁷⁰⁴ ex 9614.10.00
⁷⁰⁵ no change
⁷⁰⁶ no change

CONFORMING CHANGES TO THE GENERAL NOTES AND TO CHAPTERS 98 AND 99

General notes

GN-1. Subparagraph (c)(vii)(R)(9)(cc) to general note 3 is modified by deleting the expression "4412.11.50, 4412.12.50, 4412.19.50, 4412.29.50, or 4412.99.90" and inserting the expression "4412.11.55, 4412.19.50, 4412.22.50, or 4412.29.55" in lieu thereof.

GN-2. Subparagraph (c)(vii)(R)(13)(ii) to general note 3 is modified by deleting the expression "subheading 7019.20" and inserting the expression "subheadings 7019.40 through 7019.59" in lieu thereof.

GN-3. Subparagraph (c)(vii)(R)(16)(dd) to general note 3 is modified by deleting the expression "subheading 8471.92" and inserting the expression "subheading 8471.49.20 through 8471.49.40 or subheading 8471.60" in lieu thereof.

GN-4. Subparagraph (c)(vii)(R)(16)(ee) to general note 3 is modified by deleting the expression "subheadings 8471.20 through 8471.91" and inserting the expression "subheading 8471.30, 8471.41, 8471.49.10 or 8471.50" in lieu thereof.

GN-5. Subparagraph (c)(vii)(R)(20)(dd) general note 3 is modified by deleting the expression "subheading 9614.10" and inserting the expression "subheading 9614.90.10" in lieu thereof.

Chapter 98

98-1. Subparagraph (d) to U.S. note 3 to subchapter II of chapter 98 is modified by deleting the expression "enumerated in additional U.S. note 1 to section XV" and replacing it with the expression "enumerated in note 3 to section XV" in lieu thereof.

98-2. Subparagraph (a)(vii) to U.S. note 6 to subchapter X of chapter 98 is modified by deleting the expression "subheading 7508.00.50" and inserting the expression "subheadings 7508.10 and 7508.90.50" in lieu thereof.

98-3. Subparagraph (a)(viii) to U.S. note 6 to subchapter X of chapter 98 is modified by deleting the expression "subheading 7616.90" and inserting the expression "subheadings 7616.91 and 7616.99" in lieu thereof.

98-4. Subparagraph (a)(x) to U.S. note 6 to subchapter X of chapter 98 is modified by deleting the expression "subheading 7907.90.60" and inserting the expression "subheadings 7907.00.90" in lieu thereof.

98-5. Subparagraph (a)(xiv) to U.S. note 6 to subchapter X of chapter 98 is modified by deleting the expression "through 8544.70 and subheadings 8547.90 and 8548.00;" and inserting the expression "through 8544.60.60 and subheadings 8547.90 and 8548.90;" in lieu thereof.

98-6. Subparagraph (f) to U.S. note 2 to subchapter XVII of chapter 98 is modified by deleting the expression "7018.90 and 7019.20" and inserting the expression "7018.90, 7019.40, 7019.51, 7019.52 and 7019.59" in lieu thereof.

98-7. Subparagraph (o) to U.S. note 2 to subchapter XVII of chapter 98 is modified by deleting the expression "(except subheading 7907.10)" and inserting the expression "(except gutters, roof capping, skylight frames and other fabricated building components, of zinc)" in lieu thereof.

98-8. Subparagraph (u) to U.S. note 2 to subchapter XVII of chapter 98 is modified by deleting the expression "8519.91" and inserting the expression "8519.92" in lieu thereof.

98-9. Subparagraph (u) to U.S. note 2 to subchapter XVII of chapter 98 is modified by deleting the expression "subheadings 8532.90, 8539.90, 8543.10, 8543.20, 8543.30, 8543.80.60, 8543.80.90, 8543.90, 8544.70, 8546.90, 8547.20 and 8548.00)" and inserting the expression "subheadings 8532.90 and 8539.90, subheadings 8543.11 through 8543.81, subheadings 8543.89.60, 8543.89.95, 8543.90, 8546.90, 8547.20 and 8548.90)" in lieu thereof.

98-10. The article description of immediately preceding subheading 9817.00.80 is modified by deleting the expression "section VI or in chapter 26" and inserting the expression "section VI, chapter 26 or subheading 8548.10" in lieu thereof.

Chapter 99

99-1. The article description of heading 9901.00.50 is modified by deleting the expression "subheading 2710.00.15" and inserting the expression "subheadings 2710.11.00, 2710.12.00, 2710.19.10 or 2710.21.20" in lieu thereof.

99-2. The article description of subheading 9902.08.07 is modified by deleting the expression "subheading 0807.10.20" and inserting the expression "subheading 0807.19.10" in lieu thereof.

99-3. The article description of subheading 9902.29.55 is modified by deleting the expression "subheading 3823.90.27" and inserting the expression "subheading 3824.90.27" in lieu thereof.

99-4. The article description of heading 9902.29.62 is modified by deleting the expression "subheading 2932.90.50" and inserting the expression "subheading 2932.99.50" in lieu thereof.

99-5. The article description of heading 9902.29.98 is modified by deleting the expression "subheading 2932.90.41" and inserting the expression "subheading 2932.99.41" in lieu thereof.

99-6. The article description of heading 9902.30.16 is modified by deleting the expression "subheading 2914.30.00" and inserting the expression "subheading 2914.39.00" in lieu thereof.

- 99-7. The article description of heading 9902.30.78 is modified by deleting the expression "subheading 2932.90.10" and inserting the expression "subheading 2932.99.10" in lieu thereof.
- 99-8. The article description of heading 9902.30.79 is modified by deleting the expression "subheading 2932.90.45" and inserting the expression "subheading 2932.99.41" in lieu thereof.
- 99-9. The article description of heading 9902.30.83 is modified by deleting the expression "subheading 2932.90.41" and inserting the expression "subheading 2932.99.41" in lieu thereof.
- 99-10. The article description of heading 9902.38.23 is modified by deleting the expression "subheading 3823.90.29" and inserting the expression "subheading 3824.90.27" in lieu thereof.
- 99-11. The article description of subheading 9902.38.25 is modified by deleting the expression "subheading 3823.90.27" and inserting the expression "subheading 3824.90.27" in lieu thereof.
- 99-12. The article description of heading 9902.39.27 is modified by deleting the expression "3929.90.90, 4823.30.00" and inserting the expression "3929.90.90, 4823.90.30" in lieu thereof.
- 99-13. The article description of heading 9902.48.23 is modified by deleting the expression "3929.90.90, 4823.30.00" and inserting the expression "3929.90.90, 4823.90.30" in lieu thereof.
- 99-14. The article description of heading 9902.53.03 is modified by deleting the expression "subheading 5603.00.90" and inserting the expression "subheading 5603.11.00, 5603.12.00, 5603.13.00, 5603.14.90, 5603.91.00, 5603.92.00, 5603.93.00 or 5603.94.90" in lieu thereof.
- 99-15. The article description of subheading 9902.70.19 is modified by deleting the expression "subheading 7019.10.10, 7019.10.20, or 7019.10.60" and inserting the expression "subheading 7019.19.10, 7019.19.20, or 7019.19.60" in lieu thereof.
- 99-16. The article description of subheading 9902.70.20 is modified by deleting the expression "subheading 7019.20.10, 7019.20.20, or 7019.20.50" and inserting the expression "subheading 7019.40, 7019.51, 7019.52, or 7019.59" in lieu thereof.
- 99-17. The article description of subheading 9902.76.30 is modified by deleting the expression "subheading 7616.90.00" and inserting the expression "subheading 7616.90.99" in lieu thereof.
- 99-18. The article description of subheading 9902.84.65 is modified by deleting the expression "subheading 8471.92.65" and inserting the expression "subheading 8471.49.40 or 8471.60.50" in lieu thereof.

99-19. The article description of subheading 9902.85.24 is modified by deleting the expression "subheading 8524.23.10" and inserting the expression "subheading 8524.53.10" in lieu thereof.

99-20. The article description of subheading 9902.85.40 is modified by deleting the expression "subheading 8540.11.00" and inserting the expression "subheading 8540.13.00 or 8540.14.00" in lieu thereof.

99-21. The article description of heading 9902.91.06 is modified by deleting the expression "battery or AC powered" and inserting the expression "electrically operated" in lieu thereof.

99-22. The article description of heading 9903.10.20 is modified by deleting the expression "subheading 1402.91.00" and inserting the expression "subheading 1402.90.10" in lieu thereof.

99-23. The article description of heading 9903.10.21 is modified by deleting the expression "subheading 1520.10.00" and inserting the expression "subheading 1520.00.00" in lieu thereof.

99-24. The article description of heading 9903.10.22 is modified by deleting the expression "subheading 1520.90.00" and inserting the expression "chapter 29" in lieu thereof.

99-25. The article description of subheading 9903.23.20 is modified by deleting the expression "subheading 2101.10.20" and inserting the expression "subheading 2101.11.00" in lieu thereof.

99-26. The article description of subheading 9903.41.15 is modified by deleting the expression "subheading 8471.20" and inserting the expression "subheading 8471.30 or 8471.41" in lieu thereof.

99-27. The article descriptions of subheading 9903.41.20 and 9903.41.25 are modified by deleting the expression "subheading 8471.91" and inserting the expression "subheading 8471.49.10 or 8471.50" in lieu thereof.

99-28. The article descriptions of subheadings 9903.41.40 and 9903.41.45 are modified by deleting the expression "subheading 8528.10.80" and inserting the expression "subheading 8528.11.00 or 8528.12.80" in lieu thereof.

99-29. The article description of subheading 9904.10.24 is modified by deleting the expression "0405.00.80 or 2106.90.15" and inserting the expression "0405.20.00, 0405.90.00 or 2106.90.15" in lieu thereof.

99-30. The article description of heading 9904.50.20 is modified by deleting the expression "2101.10.40, 2101.20.40" and inserting the expression "2101.12.00, 2101.20.40" in lieu thereof.

99-31. The article description of heading 9904.50.40 is modified by deleting the expression "2101.10.40, 2101.20.40" and inserting the expression "2101.12.00, 2101.20.40" in lieu thereof.

99-32. The article description of subheading 9904.60.60 is modified by deleting the expression "2101.10.40, 2101.20.40" and inserting the expression "2101.12.00, 2101.20.40" in lieu thereof.

99-33. The article description of subheading 9905.00.00 is modified by deleting the numbers "4010.10", "7508.00", "7616.90", "8519.91", "8520.31", "8548.00", "9030.81", and "9030.89" from the listing of headings and subheadings and inserting the following numbers in numerical sequence therein:

"4010.11.00
4010.12.10
4010.12.20
4010.12.40
4010.13.00
4010.19.10
4010.19.20
4010.19.40
4010.19.90
4010.21.30
4010.21.60
4010.22.30
4010.22.60
4010.29.10
4010.29.20
7508.10
7508.90
7616.91
7616.99
8519.92
8519.93
8520.32
8520.33
8548.90
9030.82
9030.83
9030.89"

99-34. The article description of subheading 9905.00.20 is modified by deleting the expression "4412.19 or 4412.99" and inserting the expression "4412.19, 4412.92 or 4412.99" in lieu thereof.

99-35. The article description of subheading 9905.38.10 is modified by deleting the expression "subheading 3823.90" and inserting the expression "subheading 3824.90" in lieu thereof.

99-36. The article description of subheading 9905.39.01 is modified by deleting the expression "subheading 3823.20.00" and inserting the expression "subheading 3824.20.00" in lieu thereof.

99-37. The article description of subheading 9905.40.15 is modified by deleting the expression "subheading 4010.99" and inserting the expression "heading 4010" in lieu thereof.

99-38. The article description of subheading 9905.56.20 is modified by deleting the number "5407.60.20" from the listing of provisions and inserting the number "5407.61.20" in numerical sequence therein.

99-39. The article description of subheading 9905.70.10 is modified by deleting the expression "subheading 7019.20" and inserting the expression "subheading 7019.40, 7019.51, 7019.52 or 7019.59" in lieu thereof.

99-40. The article description of subheading 9905.72.10 is modified by deleting the expression "subheading 7217.13, 7217.23 or 7217.33" and inserting the expression "subheading 7217.30, 7217.30.15, 7217.30.30, 7217.30.45, 7217.30.60 or 7217.30.75" in lieu thereof.

99-41. The article description of subheading 9905.72.20 is modified by deleting the expression "subheading 7217.31.30 or" and inserting the expression "subheading 7217.10.80 or" in lieu thereof.

99-42. The article description of subheading 9905.72.30 is modified by deleting the expression "subheading 7217.32.10" and inserting the expression "subheading 7217.20.45" in lieu thereof.

99-43. The article description of subheading 9905.73.12 is modified by deleting the expression "subheading 7314.19.00" and inserting the expression "subheading 7314.14.00 or 7314.18.00" in lieu thereof.

99-44. The article description of subheading 9905.79.10 is modified by deleting the expression "subheading 7907.90.60" and inserting the expression "subheading 7907.00.90" in lieu thereof.

99-45. The article description of subheading 9905.85.21 is modified by deleting the expression "subheading 8506.11.00" and inserting the expression "subheading 8506.10.00" in lieu thereof.

99-46. The article description of subheading 9905.85.22 is modified by deleting the expression "subheading 8506.19.00" and inserting the expression "subheading 8506.50.00" in lieu thereof.

99-47. The article description of subheading 9905.85.25 is modified by deleting the expression "subheadings 8506.12.00 and 8506.13" and inserting the expression "subheading 8506.30.10 and 8506.40.10" in lieu thereof.

99-48. The article description of subheading 9905.85.25 is modified by deleting the expression "subheading 8506.11.00" and inserting the expression "subheading 8506.10.00" in lieu thereof.

99-49. The article description of subheading 9905.85.25 is modified by deleting the expression "parts of dry cell batteries of subheading 8506.20.00 other than 6 volt alkaline lantern batteries" and inserting the expression "parts of dry cell batteries having an external volume exceeding 300 cm² of subheadings 8506.10 through 8506.90 other than 6 volt alkaline lantern batteries" in lieu thereof.

99-50. The article description of subheading 9905.85.55 is modified by deleting the expression "8527.11," and inserting the expression "8527.12, 8527.13," in lieu thereof.

Appendix C

SECTIONS 1205 AND 1206 OF THE OMNIBUS TRADE AND COMPETITIVENESS ACT OF 1988

- (4) If a rate of duty is suspended or terminated by the President by proclamation or Executive order and the proclamation or Executive order does not specify the rate that is to apply in lieu of the suspended or terminated rate, the last rate of duty that applied prior to the suspended or terminated rate shall be the effective rate of duty.

(d) **INTERIM INFORMATIONAL USE OF HARMONIZED TARIFF SCHEDULE CLASSIFICATIONS.**—Each—

- (1) proclamation issued by the President;
- (2) public notice issued by the Commission or other Federal agency; and
- (3) finding, determination, order, recommendation, or other decision made by the Commission or other Federal agency; during the period between the date of the enactment of the Omnibus Trade and Competitiveness Act of 1988 and the effective date of the Harmonized Tariff Schedule shall, if the proclamation, notice, or decision contains a reference to the tariff classification of any article, include, for informational purposes, a reference to the classification of that article under the Harmonized Tariff Schedule.

19 USC 3005.

SEC. 126A. COMMISSION REVIEW OF, AND RECOMMENDATIONS REGARDING, THE HARMONIZED TARIFF SCHEDULE.

(a) **IN GENERAL.**—The Commission shall keep the Harmonized Tariff Schedule under continuous review and periodically, at such time as amendments to the Convention are recommended by the Customs Cooperation Council for adoption, and as other circumstances warrant, shall recommend to the President such modifications in the Harmonized Tariff Schedule as the Commission considers necessary or appropriate—

- (1) to conform the Harmonized Tariff Schedule with amendments made to the Convention;
- (2) to promote the uniform application of the Convention and particularly the Annex thereto;
- (3) to ensure that the Harmonized Tariff Schedule is kept up-to-date in light of changes in technology or in patterns of international trade;
- (4) to alleviate unnecessary administrative burdens; and
- (5) to make technical rectifications.

(b) **AGENCY AND PUBLIC VIEWS REGARDING RECOMMENDATIONS.**—In formulating recommendations under subsection (a), the Commission shall solicit, and give consideration to, the views of interested Federal agencies and the public. For purposes of obtaining public views, the Commission—

- (1) shall give notice of the proposed recommendations and afford reasonable opportunity for interested parties to present their views in writing; and
- (2) may provide for a public hearing.

(c) **SUBMISSION OF RECOMMENDATIONS.**—The Commission shall submit recommendations under this section to the President in the form of a report that shall include a summary of the information on which the recommendations were based, together with a statement of the probable economic effect of each recommended change on any industry in the United States. The report also shall include a copy of all written views submitted by interested Federal agencies and a copy or summary, prepared by the Commission, of the views of all other interested parties.

Reports.

(d) **REQUIREMENTS REGARDING RECOMMENDATIONS.**—The Commission may not recommend any modification to the Harmonized Tariff Schedule unless the modification meets the following requirements:

- (1) The modification must—
 - (A) be consistent with the Convention or any amendment thereto recommended for adoption;
 - (B) be consistent with sound nomenclature principles; and
 - (C) ensure substantial rate neutrality.
- (2) Any change to a rate of duty must be consequent to, or necessitated by, nomenclature modifications that are recommended under this section.
- (3) The modification must not alter existing conditions of competition for the affected United States industry, labor, or trade.

SEC. 126A. PRESIDENTIAL ACTION ON COMMISSION RECOMMENDATIONS. 19 USC 3006.

(a) **IN GENERAL.**—The President may proclaim modifications, based on the recommendations by the Commission under section 1206, to the Harmonized Tariff Schedule if the President determines that the modifications—

- (1) are in conformity with United States obligations under the Convention; and
- (2) do not run counter to the national economic interest of the United States.

(b) **LAY-OVER PERIOD.**—

- (1) The President may proclaim a modification under subsection (a) only after the expiration of the 60-day period beginning on the date on which the President submits a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that sets forth the proposed modification and the reasons therefor.
- (2) The 60-day period referred to in paragraph (1) shall be computed by excluding—

- (A) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die; and
- (B) any Saturday and Sunday, not excluded under subparagraph (A), when either House is not in session.

(c) **EFFECTIVE DATE OF MODIFICATIONS.**—Modifications proclaimed by the President under subsection (a) may not take effect before the 15th day after the date on which the text of the proclamation is published in the Federal Register.

SEC. 1267. PUBLICATION OF THE HARMONIZED TARIFF SCHEDULE.

19 USC 3007.

(a) **IN GENERAL.**—The Commission shall compile and publish, at appropriate intervals, and keep up to date the Harmonized Tariff Schedule and related information in the form of printed copy; and, if, in its judgment, such format would serve the public interest and convenience—

- (1) in the form of microfilm images; or
- (2) in the form of electronic media.

(b) **CONTENT.**—Publications under subsection (a), in whatever format, shall contain—

- (1) the then current Harmonized Tariff Schedule;
- (2) statistical annotations and related statistical information formulated under section 484(e) of the Tariff Act of 1930 (19 U.S.C. 1484(e)); and

President of U.S
Reports.

Appendix D

CONGRESSIONAL LETTERS CONCERNING POINT-OF-PURCHASE JEWELRY DISPLAY BOXES

RONALD K. MACHTLEY
1ST DISTRICT, RHODE ISLAND

COMMITTEE ON ARMED SERVICES
COMMITTEE ON SMALL BUSINESS
COMMITTEE ON GOVERNMENT OPERATIONS
SELECT COMMITTEE ON CHILDREN,
YOUTH, AND FAMILIES

CO-CHAIR, NEW ENGLAND ENERGY CAUCUS
ENVIRONMENTAL AND ENERGY STUDY
CONFERENCE
CONGRESSIONAL HUMAN RIGHTS CAUCUS
CONGRESSIONAL TEXTILE CAUCUS
CONGRESSIONAL CAUCUS ON
WOMEN'S ISSUES
CONGRESSIONAL NOTCH COALITION

6/14
TO: DOCKETS



Congress of the United States
House of Representatives
Washington, DC 20515-3901

WASHINGTON OFFICE
326 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3901
(202) 225-4911

1ST DISTRICT OFFICES
STATE TOLL FREE NUMBER
1-800-562-8994
200 MAIN STREET
SUITE 230
PAWTUCKET, RI 02860
(401) 725-9400
127 SOCIAL STREET
ROOM 172
WOONSOCKET, RI 02895
(401) 782-4052
320 THAMES STREET
ROOM 267
NEWPORT, RI 02840
(401) 848-7920

205-3
June 10, 1993

Mr. Don E. Newquist
Chairman
International Trade Commission
500 E Street, SW
Washington, D.C. 20436

Dear Mr. Chairman:

I am writing to convey the sharply negative impact on the domestic jewelry box manufacturing industry of the International Trade Commission's Proposed Modifications under 19 U.S.C. 3005 as they pertain to tariff classification and proposed duty rates for jewelry boxes under HTS subheading 4202.92.

My state of Rhode Island is the home to a significant number of domestic manufacturers of jewelry boxes, employing approximately 3000 workers in Rhode Island and Massachusetts combined. These domestic manufacturers strongly oppose the proposed changes in the tariff classification and corresponding duty rate proposed by the ITC. The net impact of these proposed changes would be to reduce the duty rate on jewelry boxes "with outer surfaces of either plastic sheeting or textile materials" from the current 20% to rates ranging from "free" to 7%, depending upon the underlying material used in the manufacture of these boxes. Such changes would have drastic repercussions on the domestic industry.

On March 3, 1993, the U.S. Customs Services issued ruling HQ 951028, classifying jewelry boxes covered with plastic sheeting or textile materials under HTS 4202.92.90 at a duty rate of 20% ad valorem. This decision brought the United States into conformity with the other members of the Harmonized Tariff System and corrected an earlier misclassification.

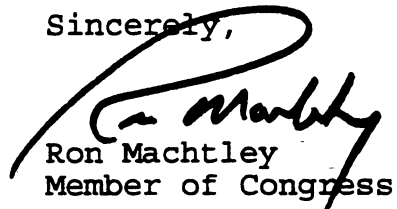
All other countries who participate in the HTS currently treat this merchandise at the 20% ad valorem duty rate. Therefore, by opposing the proposed change in tariff classification, domestic jewelry manufacturers are requesting only fair and evenhanded treatment with importers to all the countries participating in the HTS. As a result, by altering the tariff rate, the United States would unnecessarily disadvantage a significant domestic industry.

Mr. Don E. Newquist -- Page 2

Two Rhode Island manufacturers of jewelry boxes, International Packaging Corporation and Fuller Packaging, will be represented at the ITC hearing scheduled for June 15 (&16). I would be glad to personally provide additional information related to their concerns at that time or to provide further material post-hearing.

I appreciate your serious consideration of these concerns, and look forward to hearing from you at your earliest convenience.

Sincerely,



Ron Machtley
Member of Congress

RKM:jrc

MAXINE WATERS
Member of Congress
35th District, California

COMMITTEE:
BANKING, FINANCE AND
URBAN AFFAIRS
VETERANS' AFFAIRS

Congress of the United States
House of Representatives
Washington, DC 20515-0535

PLEASE REPLY TO:
1207 LONGWORTH HOUSE OFFICE BLDG.
☐ WASHINGTON, DC 20515-0535
(202) 225-2201
FAX (202) 225-7884
DISTRICT OFFICE
10124 S. BRADSHAW
SUITE 1
LOS ANGELES, CA 90003
☐ (213) 787-8800
FAX (213) 787-8806

June 14, 1993

Ms. Gretchen Kipp
U.S. International Trade Commission
500 E Street
Washington, D.C.

Dear Ms. Kipp:

I am writing on behalf Mr. Jim Porterfield, the Vice President of Jewelpak, a manufacturing firm with an office located in my Congressional District. He is scheduled for a hearing with the ITC tomorrow at 9:30 a.m. His case is investigation number 1205 - 3.

My office has been working with Mr. Porterfield for several weeks since he brought his case to our attention. He is a highly reputable businessman. I hope the ITC will treat him with the utmost respect and sensitivity.

My office has been tracking the progress of this case and will continue to do so. Thank you for hearing Mr. Porterfield's concerns.

Sincerely,



MAXINE WATERS

MW/bz

93 JUN 15 10:55

RECEIVED
U.S. HOUSE OF REPRESENTATIVES

JOHN D. GRAFEE
RHODE ISLAND

COMMITTEE ON FINANCE
RANKING MEMBER, COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS

THE SENATE ARMS CONTROL
OBSERVER GROUP

SELECT COMMITTEE
ON INTELLIGENCE

United States Senate

June 14, 1993

WASHINGTON OFFICE:

WASHINGTON, DC 20510
(202) 224-2921
TDD: (202) 224-7617

PROVIDENCE OFFICE:

10 DORRANCE STREET
SUITE 221
PROVIDENCE, RI 02903
(401) 528-5294
TDD: (401) 751-1130

TOLL FREE NUMBER
IN RHODE ISLAND
1-800-662-5188

The Honorable Don E. Newquist
Chairman
U.S. International Trade Commission
Washington, D.C. 20436

Dear Mr. Chairman:

We are writing to express our opposition to a proposed modification to the Harmonized Tariff Schedule (HTS) that is scheduled to be considered by the International Trade Commission tomorrow morning. The modification in question relates to the classification of, and applicable duty rates for, jewelry boxes under HTS subheading 4202.92.

This matter is one with which we are quite familiar, as it is of great importance to the domestic jewelry box industry (largely concentrated in our State of Rhode Island), and until recently was the subject of a lengthy and exhaustive review by the U.S. Customs Service. As you may know, after fourteen months of deliberation, on March 3 of this year Customs issued ruling HQ 951028, revoking two previous Headquarters Ruling Letters and setting forth the final and determinative classification for jewelry presentation cases. In its ruling, Customs followed the guidance set forth in the Explanatory Notes to heading 4202 (as amended by the Harmonize System Committee in April 1988), concluding that "[p]resentation cases used in the presentation and/or sale of jewelry are included within the meaning of the term 'jewelry boxes' as it appears in heading 4202, HTSUSA." As such, the boxes became subject to a duty rate of 20 percent ad valorem.

The proposed modification to be considered tomorrow by the Commission would have the effect of reducing the duty rate on jewelry boxes "with outer surfaces of either plastic sheeting or textile material" from 20 percent to rates ranging from "free" to seven percent. This would for all intents and purposes void the determination set forth in the carefully-crafted March 3 Customs decision. Moreover, the proposed change would fly in the face of international recommendations and practice. As noted by Customs, customs administrations in European and other nations that participate in the Harmonized System classify jewelry presentation boxes under heading 4202; and as noted by domestic manufacturers, these nations treat the articles in question at a duty rate of 20 percent ad valorem.

EXHIBIT NO. 1

PRESENTED BY Congressman Ronald
R. MacIntyre

DATE 6/15/93

D-5

PRINTED ON RECYCLED PAPER

The Honorable Don E. Newquist
June 14, 1993
Page 2

The domestic jewelry box manufacturing industry is of great importance to our State, employing more than 1,000 in Rhode Island and more than 3,000 in the New England region. The industry, as evidenced by the June 4 letter to the Commission from the Manufacturing Jewelers and Silversmiths of America, and by the witnesses who will testify tomorrow, strongly opposes the proposed changes.

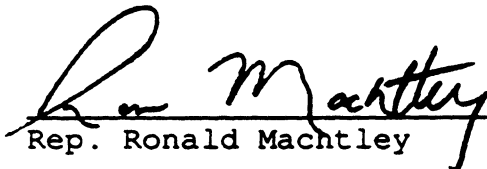
Under Section 1205 of the 1988 Omnibus Trade and Competitiveness Act, the Commission is charged with recommending changes to the HTS when amendments are "recommended by the Customs Cooperation Council for adoption" and "as other circumstances warrant." Neither holds true in this case. Hence, we see no reason why the Commission should recommend the proposed modification. Not only would the modification have the effect of contravening the recent Customs ruling and international practice, but it would place U.S. domestic manufacturers at a distinct and unjustifiable disadvantage both at home and in overseas markets.

We urge the Commission to reject the proposal, and appreciate your consideration of our views.

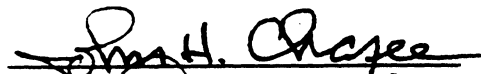
Sincerely,



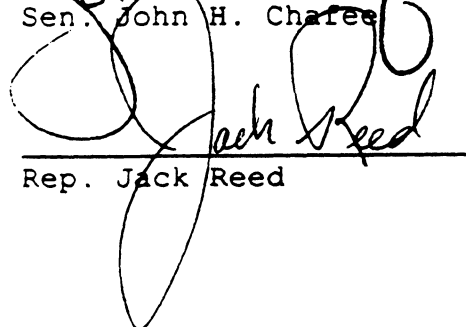
Sen. Claiborne Pell



Rep. Ronald Machtley



Sen. John H. Chafee



Rep. Jack Reed

105
ALFONSE M. D'AMATO
NEW YORK

1259 FEDERAL BUILDING
P.O. BOX 7218
SYRACUSE, NY 13261-7218
(315) 423-5471

United States Senate
WASHINGTON, DC 20510-3202

June 14, 1993

Director
Congressional Liaison
International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

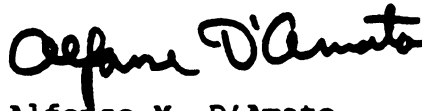
Dear Director:

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

Your findings and views, in duplicate form, will be appreciated.

Please reply to my Syracuse office.

Sincerely,



Alfonse M. D'Amato
United States Senator

AMD/mt

Attachment

MELE
MANUFACTURING CO., INC.

America's Foremost Name in Jewelry Boxes
93 JUN 1993

June 4, 1993

Ms. Gretchen Ralph
Office of Senator A. D'Amato
1259 Federal Building
Syracuse, NY 13260

Dear Ms. Ralph,

Mele Manufacturing is a jewelry box manufacturer employing 400 people and located in Utica, New York. We are writing to ask you for your assistance in opposing proposed changes to import duties on jewelry boxes.

A hearing is scheduled at the International Trade Commission (ITC) on June 15, 1993, to discuss the ITC's Report on Proposed Modifications to the Harmonized Tariff Schedule (HTS), which includes a tariff break-out within HTS4202.92 for jewelry boxes of various materials.

Jewelry boxes were originally mis-classified under heading other than 4202 but in March 1993, Customs Headquarters issued their ruling HQ951028 properly classifying jewelry boxes under HTS4202.92.90 at a duty rate of 20% ad valorem. Importers are now attempting to have this duty rate reduced to either 3% or nothing, depending on the type shell (plastic or steel).


We urge you to help block this proposed change for the following reasons:

1. It is not justified to lower the duty for jewelry boxes since they should have been paying this rate of duty all along under 4202 of the HTS.
2. There will be a substantial loss of revenue if this duty is lowered or eliminated, which is disturbing in light of the current government financial situation.
3. It will result in a loss of jobs in the U.S. The domestic box industry employs several thousand people and additionally supports suppliers employing thousands more.

Please help us in preserving these jobs that belong in the United States and block this indefensible Modification.

Another related matter of importance is that importers are also attempting to eliminate existing quotas for jewelry boxes. I will soon address the quota issue in a separate letter.

Sincerely,


Michael J. Valentine
President

MJV/pr

Appendix E

WRITTEN SUBMISSION FROM THE U.S. CUSTOMS SERVICE



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON, D.C.

Black
404B

JUN 22 1993

CO:R:I GAH
000562

93 JUN 23 AM 1:43

RECEIVED
OFFICE OF THE SECRETARY
U.S. CUSTOMS SERVICE

Paul R. Bardos
Acting Secretary
United States International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

Re: International Trade Commission Investigation No. 1205-3,
Proposed Modifications to the Harmonized Tariff Schedule
Pursuant to Section 1205 of the Omnibus Trade and
Competitiveness Act of 1988

Dear Secretary Bardos:

The U.S. Customs Service submits the following comments on International Trade Commission Investigation No. 1205-3, Proposed Modifications to the Harmonized Tariff Schedule Pursuant to Section 1205 of the Omnibus Trade and Competitiveness Act of 1988. Our comments regard, first, those proposals to amend the Harmonized Tariff Schedule (HTS) that may become effective on or after January 1, 1994, and second, those proposals to amend the HTS that may become effective on or after January 1, 1996.

Matters on which HTS amendments are proposed to become effective in 1994

Jewelry Boxes: In 1990, the Harmonized System Committee (HSC) approved an amendment to the Explanatory Notes (EN) to heading 4202 to clarify that jewelry presentation boxes sold with jewelry at retail are included within the scope of the term jewelry boxes. Until recently, the Customs Service had no established practice or position regarding the classification of such merchandise.

The Customs Service has since issued several rulings which reflect a consistent classification for jewelry presentation boxes in heading 4202. We do not regard the proposed tariff provisions in heading 4202 as necessary to classify the merchandise. We therefore recommend that the Commission reconsider its proposal to amend heading 4202 in this manner.

Medicated cough drops: The HSC has recently decided that cough drops containing menthol and other "flavoring" agents were classifiable in heading 1704 as confectionery rather than as medicaments of heading 3004, despite the fact that the flavoring agents had medicinal properties. The EN for both headings has been amended to clarify the proper classification of medicated cough drops.

Customs has consistently classified these products in heading 3004. That classification reflected our view, based on scientific evidence, that medicated cough drops contained sufficient amounts of these active ingredients to provide a therapeutic or prophylactic use. We continue to believe that the merchandise is properly classifiable as medicaments in chapter 30. However, the HSC has reconfirmed its decision on the classification of these products.

Thus, in order to enable us to classify these products in conformance with the HSC decision, we suggest that an appropriate US note be drafted excluding them from chapter 30. In addition, we believe that a tariff provision as proposed for 1704.90.25, cough drops, is necessary for the proper classification of the products in question.

Matters on which HTS amendments are proposed to become effective in 1996

- 1) It appears that, in the proposal on vodka, the current vodka provisions (HTSUS subheadings 2208.90.60, 2208.90.65, and 2208.90.70) need to be omitted with the adoption of subheading 2208.60.
- 2) Under subheading 2916.34, "Ester of phenylacetic acid" should reflect the plural "Esters;" therefore, the subheading should be modified to read "Esters of phenylacetic acid."
- 3) The text "Subheadings 2932.90 through 2932.90.50 are superseded by the following:" should be modified to reflect the appropriate eight digit number for the first subheading. That text should read "Subheadings 2932.90.41 through 2932.50 are superseded by the following:".

4) Apparently, heading 4810, HTSUS, has been inadvertently omitted from the list of headings in the proposed Note 7(A). It exists in the listing of headings in the current Note 7 and we are aware of no justification for its omission.

5) Regarding your last proposal on snowboard boots, Customs has previously classified leather upper snowboard boots in HTS subheadings 6403.91.60 and .91.90. The wording and the duty rates from those current subheadings should be replicated in this proposal. Specifically, a tariff provision should be created for snowboard boots for men, youths and boys at 8.5% and a tariff provision for snowboard boots for other persons at 10%. There has never been a 37.5% rate of duty in leather upper footwear, as is suggested by this proposal.

Customs has classified textile upper snowboard boots in HTS subheading 6404.19.20 at a 37.5% rate of duty. With the amendment to the HS chapter 64 subheading note 1(b), such snowboard boots will move to subheading 6404.11. Due to the tariff structure in heading 6404, snowboard boots will need to be provided for at the same level of indentation as the six-digit subheading in order to preserve the 37.5% rate of duty currently being applied, unless the Commission wishes to replicate snowboard boots at every eight-digit description in 6404.11.

6) The text "Heading 7314 is superseded by the following:" should be modified to read "Heading 7314 and its subheadings are superseded by the following:"

7) The new tariff number 8517.11.00, HTSUS, will provide for "cordless" telephone sets. It appears that the current subheading 8525.20.50, HTSUS, which provides for "Cordless handset telephones" should be deleted and the duty rate for 8517.11.00 should be changed to 6.0 percent.

8) Effective in 1996, the HSC has approved the amendment of the text of heading 8525 to specifically include still image video cameras, grouping them with television cameras. The Commission is recommending a new tariff provision, 8525.40.40 for such products.

The Customs Service has ruled that still video cameras are classified in tariff provision 9013.80.60 as optical appliances and instruments. The classification of these products is currently the

subject of litigation in the Court of International Trade. Given the pending litigation, we are not certain that the duty rate proposed for tariff provision 8525.40.40 will reflect the outcome of the litigation. Thus, we would like the Commission to defer finalizing the duty rate until the classification question is resolved.

Thank you for your consideration of our views.

Sincerely,


Harvey B. Fox
Director
Office of Regulations and Rulings

Appendix F

SUMMARIES OF WRITTEN VIEWS OF NONGOVERNMENT INTERESTED PARTIES

The following submissions are presented in HS heading/subheading order:

Warner-Lambert Company.--In a letter dated February 18, 1993, Mr. Thomas Czubak, of Warner-Lambert, requested that the Commission propose a new subheading 1704.90.20 in order to maintain existing tariff treatment of medicated cough drops containing at least 5 mg/dose of flavoring agents (e.g., menthol) as the only active antitussive ingredient. Prior to the HSC's decision that these products were classifiable in heading 1704, the U.S. Customs Service had been classifying them as medicaments in subheading 3004.90.30, in accordance with regulations of the U.S. Food and Drug Administration.

Joseph E. Seagram & Sons, Inc. (Seagram).--Comments dated June 18, 1993 were submitted by the law firm of Ross & Hardies (New York, NY), representing the views of this company. Seagram pointed out that the CCC's deletion of subheading 2208.10--HTS subheadings 2208.10.30, 2208.10.60 and 2208.10.90, covering compound alcoholic preparations of a kind used for the manufacture of beverages--would not result in the transfer of all such products to heading 3302, which covers only such products based on odoriferous substances. According to Seagram, those alcoholic preparations not based on odoriferous substances probably would fall to be classified in heading 2207 or 2106, and the tariff structure of subheadings 2208.10.30, 2208.10.60 and 2208.10.90 should be replicated in the alternate heading(s) in order to keep the transfer rate neutral.

Sandoz Pharmaceuticals Corporation.--Comments dated July 7, 1993 were submitted by the law firm of Freeman, Wasserman & Schneider (New York, NY), on behalf of Sandoz. According to the submission, the most-favored-nation duty rate (3.7 percent ad valorem) accompanying the Commission's proposed new subheading 2939.62.00 (Ergotamine and its salts) does not reflect a 1965 Customs ruling classifying these products under a provision of the former Tariff Schedules of the United States (TSUS), which had a most-favored-nation duty rate of 1.8 percent ad valorem.

Abbott Laboratories.--In a written submission dated July 7, 1993, Abbott expressed the general concern that the Commission's proposed HTS modifications not interfere with the current GATT Uruguay Round multilateral trade negotiations, especially with respect to pharmaceutical products.¹

EM Science Division of EM Industries, Inc. (EM).--Comments dated July 6, 1993, were submitted by the law firm of Freeman, Wasserman & Schneider (New York, NY) on behalf of EM, an importer of pH and various other indicator strips designed to change color in the presence of certain ions in solution. EM's indicator strips comprise rectangular or square pads of matted cotton lintels, impregnated with a chemically-reactive dye and mounted on a strip of

¹ In the Commission's view, HTS modifications concerning pharmaceuticals in this investigation will not affect the outcome of a potential GATT zero-for-zero agreement.

plastics. According to the submission, Customs currently classifies these products in HTS subheading 4823.90.35, with an MFN duty rate of 5.3% ad valorem, but EM has protested this classification and is attempting to get Customs to reclassify these products under subheading 4823.90.10, with an MFN rate of Free. Under the Commission's proposals, these products would be transferred to subheading 3822.00.50, with an MFN duty rate of 5% ad valorem. EM therefore proposed that their indicator strips be provided for in a separate tariff line under heading 3822, with an MFN rate of "Free."

Miles, Inc.--Comments dated July 8, 1993, were submitted by the law firm of Barnes, Richardson & Colburn (Chicago, IL) on behalf of Miles, a U.S. manufacturer, importer, and exporter of diagnostic reagents. In the submission, Miles supported the Commission's proposed HTS modifications relating to these products, but suggested further modifications. Specifically, Miles sought a definition of the term "prepared" for the purposes of heading 3822; a separate tariff line covering bulk "prepared reagents" without a backing or with a backing in rolls or sheets; and an exclusionary note in chapter 48 that directs classification of diagnostic reagents on a paper backing to heading 3822.

Jewelpak et al.--Comments dated March 9, 1993 were submitted by the law firm of Fitch, King and Caffentzis (New York, NY), on behalf of four importers--Jewelpak Corporation; Gerald Fried Displays, Inc.; Kalencom, Inc.; and Rich City Packaging Corp.--of certain point-of-purchase jewelry display boxes, made essentially of wood, metal, or plastics and covered with textile materials or sheeting of plastics. The submission outlined a chronology of U.S. Customs treatment of these boxes from 1987 to the present. Jewelpak et al. requested that the Commission propose new subheadings under heading 4202 to reflect (1) an HSC decision that would effect a transfer of these jewelry boxes to subheading 4202.92 from various other HTS subheadings² and (2) the duty rates applied to these products by Customs before the HSC decision and for some time after the HSC decision. According to Jewelpak et al., Customs had only recently revoked previous rulings that had classified these products outside subheading 4202.92, and the effect of that revocation was a substantial increase in the duty rate applicable.

In a posthearing brief (not dated, but received by the Commission on June 23, 1993), Messrs. Fitch and Caffentzis stated that Customs acted improperly in conforming to the HSC classification decision by revoking its previous rulings (and consequently raising the applicable duty rate), rather than directly approaching the Commission to request HTS modifications under section 1205. They stated further that the duty rates applicable at the time of the HSC decision (and before Customs' revocation of its prior rulings), should be carried over in a section 1205 action. They cited a previous 1205 action in

² For example, metal boxes covered with textile materials or sheeting of plastics were classified under subheading 7310.29.00; likewise, such boxes of wood or plastics were classifiable in subheadings 4420.90.40, 4420.90.60, or 3923.10.00, as appropriate.

which the duty rates for calcium-fortified frozen concentrated orange juice were transferred from one heading to the another at the specific request of Customs to conform U.S. classification to an HSC decision that did not involve an amendment to the HS nomenclature.

Counsel also responded in its posthearing brief to issues raised in the Commission's hearing. First, it had been indicated by Commission staff that it was clearly within Customs' purview to reverse longstanding tariff classification practice, without regard to section 1205. In their brief, counsel agreed that, when Customs reverses such practice for reasons not based upon HSC action, section 1205 is not within reach of the importer for seeking relief. However, they argued, "where the basis for the [reversal] lie[s] within the four corners of HSC action, relief under Section 1205 is clearly available, and has been granted in the past." Second, counsel reiterated that the CIT could address only tariff classification--and not applicable duty rates--so action before that body would not be useful in this case. Third, counsel rebutted domestic producers' hearing testimony by pointing out that the domestic industry had competed successfully against foreign producers for at least 20 years under the duty rate regime that existed before Customs' ruling that reclassified the products in question in heading 4202. Finally, with regard to advantageous and "improper" assistance from foreign governments, counsel pointed out that the U.S. producers had a myriad of statutes in the U.S. Code, under which to seek relief.

International Packaging Corp. and Fuller Box Co.--Joint prehearing comments dated June 8, 1993 were submitted by the law firm of Adduci, Mastriani, Schaumberg & Schill (New York, NY) on behalf of these domestic producers of point-of-purchase jewelry presentation boxes. According to the submission, the present Customs practice of classifying these products in heading 4202, with a most-favored-nation duty rate of 20 percent ad valorem, is correct, and past Customs treatment of imports of these boxes is not germane. The submission's conclusion is that the Commission's proposed modifications concerning these products should be deleted.

In a posthearing brief dated June 23, 1993, counsel addressed each of the criteria listed in subsection 1205(a) of the Omnibus Trade and Competitiveness Act of 1988, concerning justification for Commission proposals to amend the HTS. Counsel argued that none of these criteria were met in the instant case and that the Commission's proposals are unnecessary and improper. In addition, counsel argued that past Customs practice concerning these products had been inconsistent and that certain of the jewelry boxes in question previously had been misclassified under the U.S. tariff.

The posthearing submission also addressed subsection 1205(d) of the 1988 Act, concerning the conditions applicable to those HTS modifications that are proposed by the Commission. In particular, counsel gave detailed arguments to support their contention that the Commission's proposals "would create a complex, contradictory scheme of classification which is inconsistent with sound nomenclature principles...." Further, counsel argued that the Commission's proposals in this respect would violate the condition that HTS

modifications "must not alter existing conditions of competition for the affected United States industry, labor, or trade." The submission cited a 500-percent increase in imports from China in the past 5 years, which has resulted in lost sales and which may lead to lost U.S. employment.

Finally, counsel pointed out that the Commission's proposals would result in a substantial loss of Customs revenue and that two Congressional bills³ introduced in 1992, which attempted to create new subheadings similar to those in the Commission's proposal, had not passed.

Luggage and Leather Goods Manufacturers of America, Inc.---In comments dated June 23, 1993, this trade association pointed out the discrepancy between the Commission's proposed modifications regarding point-of-purchase jewelry presentation boxes and certain related actions recently announced by Customs regarding the statistical treatment of these articles for quota purposes. In particular, the association stated that the expression "jewelry boxes" must be strictly defined for the purposes of any modifications to heading 4202 in order to prevent a shift in tariff treatment for more elaborate home-furnishing type jewelry boxes and travel jewelry cases, which have always been covered by heading 4202. The association further warned that statistical data on jewelry boxes could be distorted by the lack of such a definition.

Fashion Accessories Shippers Association, Inc.---Comments dated June 24, 1993, were submitted by the law firm of Serko & Simon (New York, NY) on behalf of this association. According to counsel, the text of 4202 would preclude the classification of jewelry boxes with an outer surface of metal, of wood, or of plastics in that heading because such boxes would not be "of leather or of composition leather, of plastics sheeting, of textile materials, of vulcanized fiber, or of paperboard, or wholly or mainly covered with such materials:" (text excerpted from heading 4202; emphasis added by counsel).

Russell Stadelman, Inc.---Comments dated July 12, 1993 were submitted by the law firm of Sandler, Travis & Rosenberg (New York, NY) on behalf of Stadelman, an importer of plywood and other wood products of HTS chapter 44. According to the submission, proposed new subheading note 1 to chapter 44 was unclear with respect to the term "virola," which Stadelman felt should be clarified to include white virola. The submission also pointed out certain problems with the GSP duty treatment for proposed new subheading 4412.11.30.

Association of the Nonwoven Fabrics Industry (INDA)---According to a submission dated June 23, 1993, INDA, in principle, did not oppose the Commission's proposals concerning HTS heading 5603. However, the association stated that it would be preferable to subdivide the heading on a "process" orientation rather than on a "fiber" orientation. Specifically, whereas the HSC subdivided heading 5603 into two main categories, "of man-made filament"

³ H.R. 5979, 102nd Cong., and S. 3071, 102nd Cong.

and "other," INDA stated that industry preference would be to replace "of man-made filament" by "of technologies which incorporate man-made filament."

Junior Gallery, Ltd.--Comments dated June 22, 1993, were submitted by the law firm of Barnes, Richardson & Colburn (New York, NY) on behalf of Junior gallery, an importer of wearing apparel. According to the submission, the description of "piping" in the context of "suits" in new note 3 to HS chapters 61 and 62 is "unacceptably vague." Counsel point out that the note restricts piping to being "of a different fabric" when, in fact, piping might also be of a nonfabric material, such as leather or suede, and of a different color.

Sigvaris, Inc.--Letters dated February 17, 1993, and May 13, 1993, were submitted by the law firm of Adduci, Mastriani, Schaumberg & Schill (New York, NY) on behalf of Sigvaris, an importer of surgical hosiery products with graduated compression for orthopedic treatment, classifiable in HTS heading 6115. The letters requested that the Commission propose certain technical rectifications to HTS modifications already proclaimed by the President.⁴

American Ski Federation (ASF)--In comments dated July 7, 1993, ASF indicated its opposition to certain of the Commission's proposals with respect to snowboard boots in HTS chapter 64. According to the submission, Customs classification of snowboard boots has changed substantially in the past few years to reach its current treatment. The Federation disagreed with the current Customs classification of certain of these boots as "protective" footwear, rather than as ski boots. The submission also contained attached comments by Item International/Airwalk and Rossignol Ski Company Incorporated concerning the similarities between downhill ski boots and snowboard boots. In late follow-up comments, dated July 30, 1993, ASF reiterated its position that, for tariff purposes, Customs should treat snowboard boots in the same manner as alpine ski boots.

Hitachi America, Ltd.--In a written submission dated July 1, 1993, Hitachi expressed concern over the increased administrative burden that will result from the implementation of the proposed HTS modifications. For example, the company indicated that the classification of computer components of heading 8471 (e.g., keyboards) will vary depending on whether they are imported separately or as part of a computer system. The company was particularly concerned with having sufficient lead time to reprogram computer data bases before implementation. The submission also sought clarification of certain proposed modifications concerning steam turbines (heading 8406), etching machines for processing semiconductor wafers (heading 8456), and note 1 to chapter 90.

Panasonic Company--In a written submission dated July 9, 1993, Panasonic opined that the Commission's proposal concerning line telephone sets with cordless handsets (new subheading 8517.11.00) included duty rates that did not

⁴ Presidential Proclamation 6515, Dec. 16, 1992, annex I, item 54., (57 F.R. 60053, Dec. 17, 1992).

reflect current Customs practice. The Commission's original proposal used duty rates taken from existing subheading 8517.10.00; Panasonic indicated that such rates should have come from subheading 8525.20.50.

AT&T.--In a written submission dated July 13, 1993, AT&T asserted that, in the Commission's proposed modifications regarding spent batteries in heading 8548, there was a probable overlap between "waste and scrap" of batteries and "spent" batteries. AT&T recommended that no such distinction be made in the HTS and that all "spent" batteries be considered "waste and scrap" for tariff purposes, in keeping with current Customs practice. The submission also suggested that the duty rates for proposed subheading 8517.11.00 be adjusted to reflect current Customs practice.

Canon U.S.A., Inc.--Comments dated June 23, 1993 were submitted by the law firm of Dorsey & Whitney (Washington, DC) on behalf of Canon U.S.A., Inc. According to the submission, Dorsey & Whitney had filed a civil action in the U.S. Court of International Trade concerning a U.S. Customs' ruling that classified these cameras in subheading 9013.80.60, with a most-favored-nation duty rate of 9 percent ad valorem. The submission further stated that a settlement was pending that would result in classification of these cameras in present HTS subheading 8525.30.00, with a most-favored-nation duty rate of 4.2 percent ad valorem. In Canon's view, the Commission's tentative proposal to apply the 9 percent duty rate to a new subheading 8525.40.40, covering still image video cameras, would be contrary to the aforementioned pending settlement.

American Association of Exporters and Importers (AAEI).--In a submission dated July 14, 1993, AAEI opined that interested parties were not allowed enough time to give full consideration to the Commission's proposed HTS modifications. AAEI further asserted that the public should be notified of HSC deliberations and decisions as they occur to allow for public input. AAEI acknowledged that HSC and related CCC documentation is available for public inspection at the Commission, but opined that such documents should be indexed by subject matter and made "more widely available to the public."

Appendix G

HEARING TESTIMONY

The hearing for this investigation was held at the Commission on June 15, 1993. All testimony given was either in support of, or in opposition to, the Commission's proposed modifications to HTS subheading 4202.92 with respect to point-of-purchase jewelry presentation boxes.

Congressman Ronald Machtley (Rhode Island) appeared in support of U.S. producers of the subject jewelry boxes; several such producers are located in Rhode Island. In his testimony, the Congressman stressed the importance of the current 20-percent ad valorem duty rate applicable to these boxes in making the domestic industry more competitive, especially with China and other Pacific Rim countries where labor costs reportedly are far lower than in the United States.¹ He further testified that there is no justification for the effective reversal--which would result from the Commission's proposed HTS modifications--of the latest Customs ruling to classify these products in heading 4202, with a 20-percent duty rate.

International Packaging Corp. and Fuller Box Co.--Messrs. John Kilmartin (International Packaging) and Peter Fuller (Fuller Box) gave joint testimony concerning the competitive conditions facing U.S. producers of point-of-purchase jewelry presentation boxes. They testified that producers in China and in other countries have the advantage of relatively cheap labor costs and of protective tariffs that make it difficult for U.S. producers to export to their markets.² Mr. Ralph Sheppard, of counsel, opined during Commission questioning that, under section 1205, HTS modifications perhaps should not be proposed unless they reflect changes in the international HS nomenclature;³ in the case of jewelry boxes, only the HS Explanatory Notes, which are not a legal part of the HS nomenclature, have not been changed.

Jewelpak et al.--Messrs. Peter Fitch and James Caffentzis, of the law firm of Fitch, King and Caffentzis (New York), testified on behalf of certain U.S. importers of point-of-purchase jewelry presentation boxes. In their view, the duty rates presented in the Commission's proposed HTS modifications (as of May 14, 1993) are those that existed before, until, and more than a year after the HSC decided that such boxes were classifiable in heading 4202.⁴ Mr. Fitch testified that it was only after the HS Explanatory Note to heading 4202 was amended that Customs revoked its rulings that classified these boxes according to their constituent material in other chapters, rather than in heading 4202. During Commission questioning, Mr. Fitch opined that proposed HTS modifications under section 1205 should not be limited to those that reflect amendments to the international HS nomenclature.⁵ He further stated that uniformity between the HSC decision and the HTS should have been accomplished through section 1205, rather than through revocation of existing Customs rulings. When asked if they were considering taking the matter to the

¹ Hearing transcript, p. 9.

² Transcript, p. 16.

³ Transcript, p. 26.

⁴ Transcript, p. 34.

⁵ Transcript, p. 39.

Court of International Trade, Messrs. Fitch and Caffentzis said they had no immediate plans to do so because the CIT could look only at classification, not at specific duty rates.⁶

⁶ Transcript, p. 43.

